

From: Sarah Milin

To: Nicole Steele

Date: 3/5/2009 11:34:15 AM

Subject: ZMAP 2008-0007 & SPEX 2008-0057, Fairfield at Ryan's Corner 3rd Submission Response

Community Planning staff has reviewed the third submission for ZMAP 2008-0007, Fairfield at Ryan's Corner. Several issues raised by Community Planning staff in the second referral have been adequately resolved. However, others remain outstanding and should be addressed to ensure that the project fully meets the intent of the Revised General Plan. This response is not intended to be comprehensive, but rather describe the outstanding issues and to provide a response to the Applicant's comments. More detailed policy discussion can be found in Community Planning's second referral dated December 31, 2008.

OUTSTANDING ISSUES

1. Land Use

The proposed development of multi-family garden-style apartments is generally consistent with the site's high-density residential planned land use designation, which allows densities ranging from 8 to 24 dwelling units per acre in the Dulles Greenway corridor where transit is anticipated. Staff, however, continues to be concerned that maximizing the Plan's density range may not be appropriate in this case given that surrounding residential communities have developed at lower densities (generally 2 to 14 dwelling units per acre) and the proposed layout of the project remains vehicular-oriented and suburban in character, inconsistent with the Plan's vision for the Transit Supportive Area (TSA). The proposed density would be better justified if the project were redesigned to be more pedestrian-oriented, fully meet the design guidance of the Plan, and take advantage of its location near a future transit station.

In response, the Applicant has stated that the layout of the proposed development has been redesigned to provide more pedestrian linkages and a more prominent street frontage. The Applicant has also provided a link-node ratio analysis for the project to assess its automobile and pedestrian connectivity. However, the project's proposed layout has not substantially changed since the original submission. Additionally, staff questions the results of the link-node analysis given that the project includes few streets, but is rather a series of parking areas connecting the proposed buildings on the site. Furthermore, the analysis was done for the illustrative plan, which contains many site layout details that are not proffered.

2. Public Parks & Open Space

The Applicant has provided an exhibit indicating that the project includes a total of 7.44 acres of open space, or approximately 33% of the site's total acreage. However, these calculations include over two acres of off-site open space, including 0.86 acres of land owned by the Flynn's Crossing Homeowners Association at the intersection of Waxpool

Road and Shellhorn Road and 1.32 acres owned by Ryans Park (E&A) LLC which contains the existing dry stormwater management pond located along Ashburn Village Boulevard. While the Applicant may intend to upgrade these parcels through landscaping or conversion to a wet BMP facility, the application does not currently provide such commitments and as such these spaces cannot be used to fulfill the project's open space calculations. Staff has revised the open space summary table provided in the second referral based on the most recent submission:

Fairfield at Ryan's Corner Open Space Summary (Staff Calculations)

<i>Land Use Category</i>	<i>Plan Policy</i>	<i>Proposal</i>	<i>Difference</i>
Interior Open Space	5.06 acres (75% of provided open space)	1.33 acres (33% of provided open space)	-3.73 acres
Other Open Space (e.g., perimeter buffers, leftover spaces)	1.69 acres (25% of provided open space)	3.93 acres (67% of provided open space)	+2.24 acres
Total Open Space	6.75 acres (30% of total acreage)	5.26 acres (23% of total acreage)	-1.49 acres

While the proposal provides more open space than previously calculated (mainly due to proffer commitments that the existing dry pond located in the southeast corner of the site will be converted to a wet pond amenity with trails and a gazebo, which allows it to be counted as open space), the project does not provide sufficient open space. To fully meet Plan policies, an additional 1.5 acres should be provided within the project's interior that consists primarily of additional passive and/or natural areas. Alternatively, the proposed open space deficit could be partially addressed if the Applicant commits to improving the vacant 0.86-acre parcel owned by the Flynn's Crossing Homeowners Association that is adjacent to the subject site at the Shellhorn Road/Waxpool Road intersection as an open space amenity. Staff notes, however, that even with improvements, this space is at the periphery of the site.

Staff also notes that the interior open space areas include two multi-age tot lots that will be, per Proffer 24, "no less than 1,000 square feet"; Plan policies in contrast state that tot lots that are used to fulfill the open space ratio requirements of the land use mix should contain at least 5,000 square feet (Revised General Plan, Chapter 6, Open Space Policy 9g). The proffer statement should be revised to provide more substantial playground facilities. Furthermore, a 0.48 acre play area has been added to the Concept Development Plan (CDP) in the southwest corner of the site. It is not clear what amenities, if any, will be provided in this area, such as playfields, sport courts, etc. Staff recommends that the proffer statement be revised to commit to providing such community amenities in this space.

Although staff prefers that the additional open space recommended by Plan policies be provided on-site to serve as amenities for the project's residents, the Plan allows up to 50% of the required open space to be obtained off-site within the same suburban

community, for example priority open space areas, greenbelts, and components of the Green Infrastructure (Revised General Plan, Chapter 6, Open Space Policy 8). If additional open space is not programmed into the development of the site, then the Applicant should contribute land or provide an open space easement contribution equivalent to the cost of purchasing open space in the Ashburn Community that is in addition to the contribution anticipated with the Open Space Preservation Program.

3. Existing Vegetation

As requested by staff, Proffer 30 has been revised to state that the Applicant will consult with the County's Arborist regarding the possibility of retaining and/or transplanting invigorated, open grown canopy trees to open space areas. Staff recommends that this proffer be further revised to specify a minimum number of trees, for example a minimum of ten, which will be retained or transplanted.

Proffer 31 has also been revised to quantify the amount of trees that will be grown in the open space areas and along roadways. However, greater commitments regarding the amount of plantings should be provided given the amount of existing tree canopy that will be lost as a result of this project. For example, the proffered landscaping along Waxpool Road and Ashburn Village Boulevard does not exceed what would be required for the project per Section 5-1400 of the Revised 1993 Loudoun County Zoning Ordinance. Furthermore, the landscaping commitments for the two interior open space areas will not result in significant plantings. For example, according to staff's calculations, Proffer 31 would only require 6 canopy trees, 6 understory trees and 60 shrubs to be planted in the northernmost interior open space containing 0.73 acres. The Applicant should also provide similar landscaping commitments on the off-site parcel owned by Flynn's Crossing Homeowners Association if that is their intention.

4. Stormwater Management

Proffer 28, Best Management Practices (BMP) has been revised to state that the Applicant will modify the existing onsite dry pond to be a wet pond amenity. In addition, Proffer 29, Low Impact Design Measures (LID) commits to implementing detention basins, rain gardens, or other forms of LID measures where possible to assist in the phosphorus removal efficiency of the property. Staff notes that detention basins are not typically considered to be LID. Staff recommends that the LID proffer be enhanced to provide greater commitments. Staff notes that one of the previous rezoning applications for the subject site (ZCPA 2005-0013, Huntmoore at Waxpool Property) provided an approximately 3,500 square foot bioretention area. It may be appropriate to provide a similar commitment with this project. If such an area is provided, this could partially address staff's concerns regarding existing vegetation and lost canopy.

5. Overall Layout & Streetscape

See 2nd referral comments. Overall, the proposed layout of the development, as shown on the illustrative plan, does not achieve the Plan's vision for high-density residential communities within the Transit Supportive Area (TSA) nor does it reflect its unique location near a future transit station. Staff also continues to be concerned that site layout details, including the location of buildings, parking areas, etc., are shown on an

illustrative plan rather than a proffered sheet. As such, staff's analysis of this issue and recommendations are based on a design that will not be committed to.

6. Road Noise Impacts

The Applicant has provided a Traffic Noise Analysis completed by Polysonics on December 19, 2008 that estimated traffic noise impact from Waxpool Road (Route 625), Shellhorn Road (Route 643) and Ashburn Village Boulevard (Route 772). The analysis indicated that the proposed open space amenities will not be impacted by future traffic noise exceeding 66 dBA Leq (peak hour) and the proposed residential buildings will not be impacted by noise levels exceeded 71 dBA Leq (peak hour), in conformance with Plan policies. However, the analysis was based on a layout that is not proffered. Changes to the layout of the project may alter the results of the studies and possibly result in noise impacts that are not anticipated. For these reasons, staff recommends that the Applicant commit to revising the traffic noise analysis at the time of site plan that will be based on the ultimate site layout and meeting Plan policies regarding roadway noise.

7. Bicycle and Pedestrian Circulation

Several issues regarding bicycle and pedestrian circulation raised in the second referral have been adequately addressed. Outstanding issues include providing a commitment that internal streets will include streetscape elements that are designed to encourage and foster pedestrian travel such as enhanced landscaping, street furniture, lighting, etc. (the Applicant's response indicates that they are agreeable to such a commitment, but one has not yet been provided); a commitment that all external trails will be outside of the gates; and the continuation of the proposed sidewalk along Ryan Corner Place to the southern property line (Sheet 5, the Pedestrian and Vehicle Circulation Plan indicates that this facility will end approximately 300 feet north of Ashburn Village Boulevard). Staff also recommends that Proffer 19 be revised to state that "the portions of the multi-purpose trail shown along Shellhorn Road (Route 643), Waxpool Road (Route 625), and Ashburn Village Boulevard (Route 772) that are off-site of the Subject Property shall be constructed by the Applicant" (additions underlined by staff) and Proffer 20 be revised to commit to providing covered bicycle storage facilities.

8. Unmet Housing Needs

See 2nd referral comments. Staff continues to encourage the Applicant to provide actual units rather than a cash contribution given that locating affordable housing near transit corridors is critical to providing affordable lifestyles for low and moderate-income families who may be particularly transit dependent.

9. Capital Facilities

The Applicant has updated the proffer statement (Proffer 4) to reflect a total capital facilities contribution of \$8,530,724, consistent with Plan policies. An updated capital facilities worksheet dated March 3, 2009 is attached to this e-mail. Staff notes, however, that the proposed per dwelling unit contribution, at \$15,797, does not appear to include the proposed \$50,000 credit for the purpose of constructing concession/restroom facilities, ballfield irrigation, ballfield lighting, or other park

amenities within the Ashburn Community. When the proposed credit is included, the per unit contribution would be equal to \$15,705.04 (\$8,530,724 minus the \$50,000 credit divided by 540 dwelling units).

10. Open Space Preservation Program

See 2nd referral comments. The total proffered contribution for the Open Space Preservation Program would equal \$81,000 (\$150 per dwelling unit) if the project were to fully build out, within the accepted contribution range of \$79,329 to \$104,380. While the Board has historically accepted \$3,800 - \$5,000 per easement, this amount does not seem reasonable given current market values and the goal of purchase of open space in the Ashburn Community. An additional contribution would also be recommended if the amount of open space providing on-site within the project is not increased to meet Plan policies (see Public Parks & Open Space discussion above).

11. Modifications

See 2nd referral comments.

CC: Cynthia Keegan; William Marsh

This page intentionally left blank.

County of Loudoun
Department of Planning
MEMORANDUM

DATE: February 13, 2009

TO: Nicole Steele, Project Manager
Land Use Review

FROM: Sarah Milin, Senior Planner *sm*
Community Planning

SUBJECT: ZMAP 2008-0007 & SPEX 2008-0057 – Fairfield at Ryan's Corner 2nd Referral, Supplement

In Community Planning's 2nd Referral dated December 31, 2008, staff erroneously noted under the Affordable Housing section that One Loudoun (ZMAP 2005-0008), approved on January 16, 2007, committed to providing 20% of their multi-family homes as "Work Force Housing", available for purchasers whose income does not exceed 100% of Loudoun County's Median Household Income. This commitment was in addition to providing Affordable Dwelling Units (ADUs) as required by Article 7 of the Revised 1993 Loudoun County Zoning Ordinance and Chapter 1450 of the Loudoun County Codified Ordinance. However, Proffer I.A.3, Work Force Housing states that a total of twenty of the multi-family homes will be provided as work force housing. This is equivalent to 1.9% of the total 1,040 dwelling units approved with this project.

Staff continues to encourage the Applicant to provide a more substantial commitment that addresses the full spectrum of unmet housing needs up to 100 percent of the AMI. Providing actual units rather than a cash contribution would be preferred given that locating affordable housing near transit corridors is critical to providing affordable lifestyles for low and moderate-income families who may be particularly transit-dependent.

cc: Julie Pastor, AICP, Planning Director
Cindy Keegan, AICP, Community Planning Program Manager – via e-mail

A-7

Attachment 1- Capital Facilities Impact Analysis
ZMAP 2008-0007, Fairfield at Ryan's Corner

TOTAL PROJECTED CAPITAL FACILITIES IMPACT

The total capital facilities impact of the proposed development is calculated using the approved capital intensity factors for the proposed unit mix, as follows:

<i>Housing Type</i>	<i>Total Number of Units</i>	<i>Capital Intensity Factors</i>	<i>Projected Capital Facilities Impact</i>
Single-Family Detached (SFD)	0	\$46,819	\$0
Single-Family Attached (SFA)	0	\$29,709	\$0
Multi-Family (MF)	540	\$18,904	\$10,208,160
TOTAL	540		\$10,208,160

540 Total Units \$10,208,160 Total Projected Capital Facilities Impact

ANTICIPATED CAPITAL FACILITIES CONTRIBUTION

The anticipated capital facilities contribution of the proposed development takes into account affordable dwelling units (ADUs) and the number of units permitted by the base density. According to a resolution passed by the Board of Supervisors on February 15, 2005, the base density and base unit type of a type of property should be calculated using the current zoning of the property. Revised Capital Intensity Factors (CIFs) were adopted by the Board of Supervisors on July 25, 2006.

1. Number of Market Rate Units Subject to Capital Facilities Proffer Guidelines

<i>Housing Type</i>	<i>Total Number of Units</i>	<i>Number of Proposed ADUs</i>	<i>Number of Market Rate Units</i>
Single-Family Detached (SFD)	0	0	0
Single-Family Attached (SFA)	0	0	0
Multi-Family (MF)	540	34	506
TOTAL	540	34	506

2. Capital Facilities Calculations for Market Rate Units

<i>Housing Type</i>	<i>Total Number of Market Rate Units</i>	<i>Capital Intensity Factors</i>	<i>Capital Facilities Calculations for Market Rate Units</i>
Single-Family Detached (SFD)	0	\$46,819	\$0
Single-Family Attached (SFA)	0	\$29,709	\$0
Multi-Family (MF)	506	\$18,904	\$9,565,424
TOTAL	506		\$9,565,424



3. Capital Facility Credit for Base Density Units assuming Single Family Detached Dwellings

<i>Zoning District</i>	<i>Acres</i>	<i>Density Permitted By-right (du/acre)</i>	<i>Base Density Units</i>	<i>Capital Intensity Factor</i>	<i>Capital Facility Credit for Base Density Units</i>
R-16	21.41	1	21	\$46,819	\$983,199
R-2	1.10	1	1	\$46,819	\$51,501
TOTAL	22.51		22		\$1,034,700

4. Anticipated Capital Facilities Contribution

$$\$9,565,424 - \$1,034,700 = \$8,530,724$$

\$8,530,724 Anticipated Capital Facilities Contribution

County of Loudoun
Department of Planning
MEMORANDUM

DATE: December 31, 2008

TO: Nicole Steele, Project Manager
Land Use Review

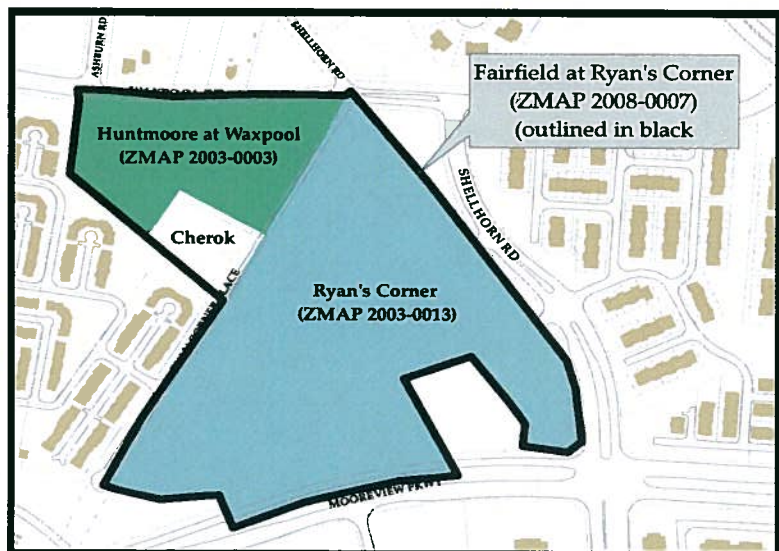
FROM: Sarah Milin, Senior Planner *Sarah*
Community Planning

SUBJECT: ZMAP 2008-0007 & SPEX 2008-0057 – Fairfield at Ryan's Corner 2nd Referral

BACKGROUND

Fairfield Ryan's Corner, LLC is requesting to rezone approximately 22.5 gross acres of land from the R-2 (Single Family Residential) and R-16 (Townhouse/Multi-family Residential) zoning districts to the R-24 Affordable Dwelling Unit (Multi-family Residential with Affordable Dwelling Unit) district in order to develop up to 540 multi-family units, 34 of which (or 6.25% of the total number of units) are to be offered as Affordable Dwelling Units ('ADUs'). According to the Statement of Justification, the Applicant is proposing to develop four-level garden apartments consisting of 1, 2, and 3-bedroom apartments within a gated community. A Special Exception application for two Zoning Ordinance Modifications is also requested in order to reduce the front and side yard setbacks required by Section 7-1000 of the Revised 1993 Loudoun County Zoning Ordinance.

The subject property consists of nine parcels that are located north of the Dulles Greenway (Route 267), west of Shellhorn Road (Route 643), south of Waxpool Road (Route 625) and north of Ashburn Village Boulevard (Route 772). The property is within a mile of the future transit station planned on the Dulles Greenway between



Comparison of Applications

Route 772 and Loudoun County Parkway. Eight of the nine parcels included in this application are subject to two previous legislative approvals – Ryan's Corner (ZMAP 2003-0013), approved for 160 townhouses; and Huntmoore at Waxpool (ZMAP 2003-0003, as amended by ZCPA 2005-0013), approved for 37 townhouses. The ninth parcel, a 1-acre parcel that is zoned R-2 (the 'Cherok' Property), is not subject to any application. In summary, this application proposes 343 more dwelling units than the previously approved applications and multi-family rather than single family-attached units.

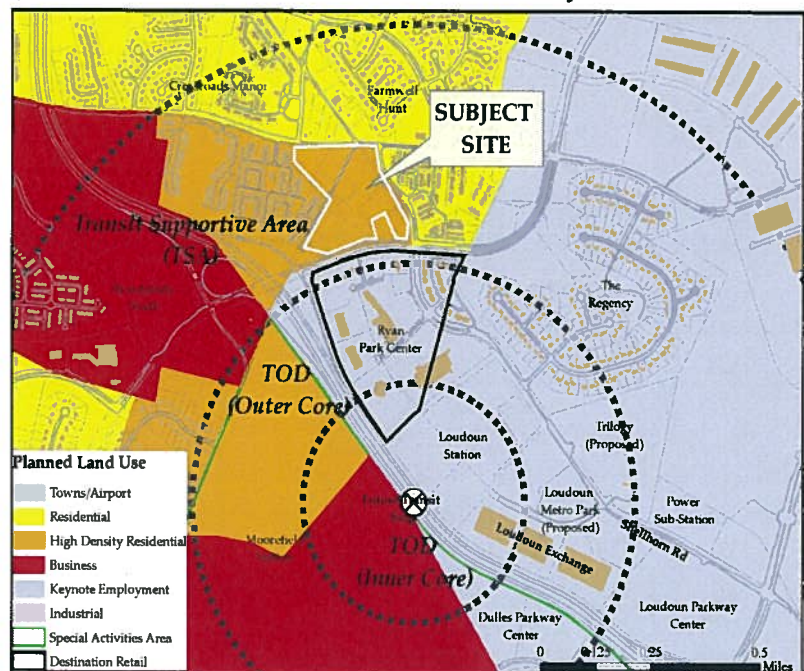
The Applicant has responded to Community Planning's first referral comments by providing a response letter with revised plats (dated October 16, 2008) and a draft proffer statement (dated November 10, 2008). While several issues raised in the first referral are considered resolved, others remain outstanding and should be addressed to ensure that the intent of the Revised General Plan is being met with the proposed project. Staff has outlined the outstanding issues below. This referral is intended to be supplementary to Community Planning's September 2, 2008 referral.

OUTSTANDING ISSUES

1. LAND USE

The subject property is located within the Ashburn Community of the Suburban Policy Area and is designated for the development of high-density residential uses ranging from 8 to 24 dwelling units (du) per acre (*Revised General Plan, Chapter 6, High Density Residential Uses text and Policy 1; Chapter 7, Planned Land Use Map*). The Plan defines high-density residential as development between 8 and 16 du/acre, but states that densities can range up to 24 du/acre in the Dulles Greenway corridor where transit is anticipated (*Revised General Plan, Chapter 6, High-Density Residential Uses text and Policy 1*). The subject property is located within the Dulles Greenway corridor, defined as the area within 1.5 miles on either side of the roadway, and therefore permitted up to 24 du/acre.

The property is also located within a mile of a planned transit station and falls within the Transit Supportive Area (TSA). The Plan states that development within the TSA should be developed to reflect its underlying land use



Planned Land Use Map

designation and provide a design that forms a transitional and complementary area between the high-density core of the Transit-Oriented Development (TOD) and the surrounding development pattern (*Revised General Plan, Chapter 6, Transit-Oriented Development text and Policies 15 & 19; Chapter 11, Transit Nodes Design Guidelines*). The development of the property as a high-density residential community should support and be coordinated to the greatest possible extent with the future transit station and the TODs that surround it, including Moorefield Station, Loudoun Station, and Dulles Parkway Center II.

In the first referral, staff found the development of multi-family garden-style apartments on the subject property to be generally consistent with its high-density residential planned land use designation. However, the proposed density, at 26.9 du/acre, exceeded the maximum density envisioned by Plan policies. Staff recommended that the total number of residential units be reduced or that a greater number of Affordable Dwelling Units (ADUs) be provided to justify the higher density. Staff also expressed concern that the project proposed to maximize the permitted density range of 8 to 24 du/acre given that it is surrounded by existing, less dense residential communities and few transit-supportive elements were incorporated into the project.

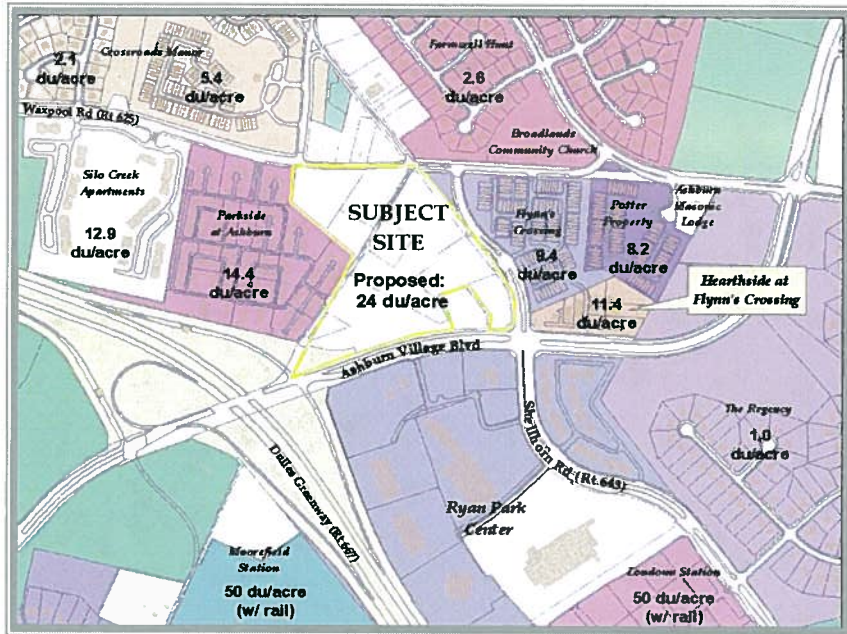
Since the original submission, the total number of multi-family units has been reduced by 56 units, from 596 multi-family (MF) units to a total of 540 units. According to the Response to Referral Comments, *"Taking into account the high-density residential policies of the Revised General Plan and the surrounding land use pattern that includes a mixture of housing types such as single family detached, single family attached, and multi-family residences, the Applicant has reduced the amount of dwelling units to 540. This approximately 10 percent decrease in dwelling units results in a density of 24 dwelling units/acre. The site has been redesigned to provide additional interior open space and a more grid-like street pattern that conforms to plan policies while respecting neighboring land use patterns. This will reduce the need to provide additional buffering along adjacent property boundaries"*.

The resulting density, at 24 du/acre¹, is consistent with the maximum density allowed per Plan policies for high-density residential uses located along the Dulles Greenway. Staff's other concerns regarding compatibility and a more transit-supportive design, however, have not yet been adequately addressed. Because the proposal is located within an established part of the County, consideration should be given to how the proposed use functions on the site relative to the established development pattern, rather than simply based on the use itself. The Plan states that evaluation of infill projects should take into consideration the following criteria: residential density and use intensity; the ability of the parcel to provide a compatible site design with or without buffering; the amount of open space and impervious surface; and the development pattern and scale (*Revised General Plan, Chapter 6, Infill, Redevelopment, and Revitalization Development Policy 1*).

¹ 540 MF units / 22.5 gross acres = 24 du/acre

While the project proposes residential uses within a predominantly residential area, existing communities in the site's immediate vicinity are significantly less dense than the proposed project, ranging in density from 2 to 14 du/acre (Figure 1). Many of these projects also provide a greater amount of open space in proportion to their total acreage; this proposal, in contrast, does not meet the open space policies of the Plan (see the Public Parks & Open Space section on pg. 7). As such, reducing the proposed

density to a level more commensurate with surrounding subdivisions may be appropriate in this case. Alternatively, the proposed higher density could be better justified if the project were redesigned to be more pedestrian-oriented and take advantage of its location near a future transit station. Although several site design revisions have taken place, the project's overall layout remains automobile-oriented and does not reflect its location within the Transit Supportive Area (TSA). The communities immediately east and west of the project (Parkside at Ashburn and Flynn's Crossing), in contrast, have been designed around a grid-street pattern that provides more direct routes to the future transit station.



Surrounding Densities (by Subdivision)

The Plan also states that high-density residential uses will be based upon the availability of utilities, transportation facilities, public facilities, participation in open space preservation efforts, and conformance to the community design and growth management policies of this Plan (*Revised General Plan, Chapter 6, High-Density Residential Use Policy 1*). Additional revisions to the application are needed in order for the project to fully meet Plan policies regarding open space, community design, and growth management, as discussed in this referral. Staff defers to the Office of Transportation Services to determine whether adequate transportation facilities exist and what improvements will be needed to serve the proposed development and the Proffer Matrix Referral Team to provide recommendations regarding public facilities.

Staff notes that the uses and density currently approved on the subject property, namely 197 townhouses at an overall density of 8.8 du/acre, is also consistent with the Plan's vision for high-density residential areas which call for densities between 8 and 24 du/acre.

The proposed development of multi-family garden-style apartments is generally consistent with the site's high-density residential planned land use designation. However, the proposed density of 24 du/acre is much higher than the residential communities that surround the subject site. Additionally, the proposed layout of the project remains vehicular-oriented and suburban in character and does not reflect the site's location within the Transit Supportive Area (TSA). The proposed density would be better justified if the project would be redesigned to be more pedestrian-oriented and take advantage of its location near a future transit station (see Overall Layout & Streetscape discussion on pg. 12 below).

2. LAND USE MIX

The Revised General Plan envisions that high-density residential areas will contain a mixture of residential, public and civic, and open space uses. Employment (office and light industrial) uses are permitted but not required (Revised General Plan, Chapter 6, High-Density Residential Uses Policy 3). In the first referral, staff found that the proposed high-density residential project did not meet the Plan-recommended land use.

Since the original submission, the layout of the proposed project has been revised to provide two, rather than three, common areas between the apartment buildings. These two areas contain all of the project's proposed public and civic uses and the majority of its open space areas (perimeter buffers are also provided). The largest common area in the northern portion of the site will feature two tot lots and a pool with a bathhouse. The second common area will contain a leasing office as well as a community clubhouse with a pool. Staff has recalculated the land use mix for the project based on the most recent submission. As shown in Table 2, the project does not meet the land use mix recommended in the Plan for public & civic uses or public parks & open space. Because detailed information regarding the specific layout of the common areas has not been provided on the Concept Development Plan (CDP) (Sheet 3), several assumptions were made regarding these spaces, as detailed in the table's notes.

Table 2. Plan's Recommended Land Use Mix for High-Density Residential Neighborhoods (*Revised General Plan, Chapter 6, High-Density Residential Use Policy 3*)

<i>Land Use Category</i>	<i>Plan Policy</i>	<i>Proposal (October 16, 2008 CDP, Sheet 3)</i>
High-Density Residential*	40 – 60% (9 – 13.5 acres)	78% (18.3 acres)
Office, Light Industrial	0 – 20% (0 – 4.5 acres)	1%** (0.3 acres)
Public & Civic	Minimum 10% (At least 2.5 acres)	1% (0.3 acres**)
Public Parks & Open Space	Minimum 30% (At least 6.75 acres)	16% (3.6 acres***)

*Includes internal roadways.

** The common area containing the clubhouse/pool and the leasing office contains a total of 0.6 acres. The clubhouse, because it will contain meeting space for residents, is considered per Plan policies to be a civic use. The leasing office is considered an office use. This calculation assumes half of this area will consist of public & civic uses and half with office uses.

*** Includes 2.42 acres of perimeter buffers and 1.2 acres of interior open space (i.e., the common area containing 2 tot lots and a pool with bathhouse).

a) Public & Civic

Of all the uses proposed within the project, only the proposed clubhouse in the southernmost common area meets the Plan's definition for civic uses. Civic uses, as defined in the Plan, are "public or quasi-public institutional uses... and typically include small churches, fire and rescue facilities, schools, day care centers, group homes, community centers, post offices, and community clubhouses" (*Revised General Plan, Glossary*). According to staff's calculations, the clubhouse occupies approximately 0.3 acres of the site (or approximately 1% of the total acreage), far less than the 10% envisioned by the Plan. In addition to the proposed clubhouse, the draft proffer statement (Proffer #24) includes a commitment that "the Applicant shall also construct a gazebo or community picnic area in one of the active recreation areas shown on the Rezoning Plat", as recommended by staff in the first referral.

Although the proposal does not meet the land use mix policies of the Revised General Plan, the property contains only 22.5 acres and the Plan recognizes that the land use mix may not be achievable for properties less than 50 acres due to their small size. Rezoning applications may vary from the mix by showing that an alternative is more appropriate to the specific site. This can be accomplished by providing a survey of land uses within a 1,500-foot radius of the site (*Revised General Plan, Chapter 6, Land Use Pattern and Design Policy 8*). The Response to Referral Comments states that it is difficult for the project to meet all of the civic needs of the residents on-site given its size and that the surrounding Ashburn area includes nearby civic and meeting spaces that will be able to address the civic needs of the residents, including the Heritage Baptist Church, the Broadlands Community Church, and the Ashburn Masonic Lodge.

Given the relatively small size of the project, the other amenities (including open space and active recreational uses) that will be located on-site, and the civic uses that are available in the surrounding area, staff finds that the public & civic uses proposed in this application are adequate and appropriate for the type of development proposed (e.g., a gated, multi-family residential community). Additional commitments, however, are recommended to ensure that these spaces will serve their intended purposes. Staff also notes that the Response to Referral Comments states that the on-site clubhouses will serve as civic spaces for community residents. The CDP, however, identifies only one clubhouse within the proposed development. The northernmost common area includes a pool with a bathhouse. Staff requests clarification of this issue.

Staff recommends that the draft proffer statement include commitments that a meeting space for residents will be provided within the proposed clubhouse; that the community picnic area will be a covered space; and minimum sizes be established for the gazebo and community picnic area. Staff also requests information concerning the Applicant's intent to upgrade the bathhouse with a pool in the northern common area to a clubhouse with meeting space for residents, as alluded to in the Response to Referral Comments.

b) Public Parks & Open Space

The proposed project commits to the provision of approximately 3.6 acres of open space, including perimeter buffers and an interior common area where a variety of active recreational uses (e.g., two tot lots and a pool with a bathhouse) are proposed². This acreage represents approximately 16% of the site's total acreage, less than the 30% (or 6.75 acres) that the Plan envisions (Table 3). The project also does not provide a sufficient amount of interior open space as the majority of the open space provided is located within the perimeter buffers. Plan policies state that at least 75% of the total open space should be interior open space; perimeter buffers and leftover spaces can only account for 25% of the open space requirement (Revised General Plan, Chapter 6, Open Space Policy 1). The draft proffer statement (Proffer #24) provides a number of commitments regarding the amenities that will be provided within these areas.

² The Illustrative Plan depicts additional open space between and around the apartment buildings that is not included in the open space calculations because this layout is not on a proffered sheet.

Table 3. Open Space Summary

<i>Land Use Category</i>	<i>Plan Policy</i>	<i>Proposal</i>	<i>Difference</i>
Interior Open Space	5.06 acres (75% of provided open space)	1.2 acres (33% of provided open space)	-3.86 acres
Other Open Space (e.g., perimeter buffers)	1.69 acres (25% of provided open space)	2.4 acres (67% of provided open space)	+0.71 acres
Total Open Space	6.75 acres (30% of total acreage)	3.6 acres (16% of total acreage)	-3.15 acres

Notes: The open space calculations do not include the second common area containing the clubhouse/pool and leasing office as it is considered to be a civic & public space. It also does not include the existing dry pond in the southeast corner of the property as it is not a water feature that will be wet year-round (*Revised General Plan, Chapter 6, Open Space Policy 9*).

To fully comply with Plan policies, additional interior open space should be incorporated into the project. The Plan recognizes that the provision of sufficient open space is especially critical within high-density residential neighborhoods because of the greater concentration of residents. Within these neighborhoods, sufficient space must be set aside in the form of neighborhood and community parks, greens, trails and greenbelts so that all residents, especially children, can easily walk to and enjoy the open space (*Revised General Plan, High-Density Residential Uses Design Guidelines*). Additional open space could be retained on the subject property by reducing the overall density, providing underground parking or parking structures, building larger (i.e., greater than 4 stories) buildings, and/or enhancing the existing dry pond in the southeast corner of the site to a wet pond so that it can count toward the project's open space calculations. These changes would be in keeping with Plan policies for high-density residential neighborhoods which encourage the use of structured parking and the provision of a full range of housing opportunities (*Revised General Plan, Chapter 11, High-Density Residential Uses Design Guidelines*).

Alternatively, the proposed open space deficit could be partially addressed if the Applicant improves the vacant 0.86-acre parcel owned by the Flynn's Crossing Homeowners Association that is adjacent to the subject site at the Shellhorn Road/Waxpool Road intersection as an open space amenity. The response to first referral comments indicates that the Applicant has met with the HOA to discuss potential improvements to this parcel. The Applicant has obtained easement rights for this parcel and will continue to work with the residents of Flynn's Crossing to address issues pertaining to their property.

While staff would prefer that the additional open space recommended by Plan policies be provided on-site to serve as amenities for the project's residents, the Plan allows up to 50% of the required open space to be obtained off-site within the same suburban community, for example priority open space areas, greenbelts, and components of the Green Infrastructure (*Revised General Plan, Chapter 6, Open Space Policy 8*). Should additional open space not be

programmed into the project's design, then the Applicant should purchase or provide funds to enable the County to purchase additional open space within the Ashburn community to offset the project's proposed open space deficit. These funds should be provided in addition to the contribution anticipated with the Open Space Preservation Program (see discussion on pg. 18). Participation in this program is recommended for all projects proposing the highest suburban density levels (i.e., 3.5 du/acre and above) (Revised General Plan, Chapter 11, Open Space text and Policy 3).

Staff recommends that the proposed high-density residential development incorporate additional open space within the project that is located within the interior of the site and consist primarily of additional passive and/or natural areas, such as neighborhood parks, or different types of active recreational uses than are currently proposed. If additional open space is not provided, then the Applicant should contribute land or provide an open space easement contribution equivalent to the cost of purchasing open space in the Ashburn Community that is in addition to the contribution anticipated with the Open Space Preservation Program.

Staff also requests information regarding the Applicant's intent to provide pocket parks, landscaped gardens, community gardens and greens. The draft proffer statement (Proffer #24) states that if these amenities are designated on the rezoning plat, they shall consist of no less than 2,500 sq ft. However, the rezoning plat does not identify these uses and therefore this commitment is not enforceable. If it is the applicant's intent to provide these amenities within the open space areas, then they should be depicted on the CDP.

3. EXISTING VEGETATION

The Plan supports the conservation of forest resources during the site development process (Revised General Plan, Chapter 5, Forest, Tree and Vegetation Policy 1). Approximately half the site is forested. However, the most significant tree resources on this site are stands of green ash which are susceptible to emerald ash borer, leaving the future of these tree stands in doubt even if development does not occur. There are also 31 potential specimen trees identified on the subject property.

Given the type and poor quality of the property's tree stands, the project does not include tree conservation areas. The draft proffer statement (Proffer #30) states that the Applicant shall consider transplanting invigorated, open grown canopy trees not susceptible to the ash borer or planting new native species to the open space areas shown on the rezoning plat to enrich tree canopy and shade opportunities. Additionally, Proffer #31 commits to the development of a landscaping plan prior to the approval of the first site plan for development on the subject property that gives special consideration to the property's frontage along Waxpool Road, Shellhorn Road, and

Ashburn Village Boulevard as well as trees along streets and open space areas. These commitments, as currently proposed, do not provide sufficient assurances that enhanced plantings will be provided throughout the project that sufficiently compensate for the property's overall loss of canopy.

Staff recommends that Proffer #30 be revised to state that the Applicant will consult with the County's Arborist regarding the possibility of retaining and/or transplanting invigorated, open grown canopy trees to these areas.

Staff also recommends that Proffer #31 be strengthened to ensure that the landscaping plan will include enhanced plantings within the open space areas as well as along roadways. For example, it would be appropriate to quantify the amount of trees that will be grown within the proposed open space areas (i.e., x number of trees per acre) as well as consideration of vegetation schedules used in Type 4 or Type 5 buffers.

4. STORMWATER MANAGEMENT

The site's stormwater will be treated in an existing stormwater management facility (a dry pond) which is present in the southeastern corner of the site and also serves Ryan Park Center. In the first referral, staff recommended that the Applicant consider converting the existing dry pond to a wet stormwater management facility, that low impact development (LID) techniques be integrated in the overall stormwater management approach, and that the project provide enhanced measures similar to those committed to with the previously approved applications for the property including wooden foot bridges over LID areas and markings on all storm drainage inlet structures.

The draft proffer statement includes provisions that the Applicant will use Best Management Practices as published in the latest edition of the Virginia Stormwater Management Handbook and the FSM (Proffer #28); that low impact design ("LID") measures will be implemented in the development of the property (Proffer #29); and that the Applicant will mark all constructed storm drainage inlet structures with "DO NOT DUMP OIL" or other appropriate admonition as directed by the County (Proffer #32). The Response to Referral Comments also states that "given the change in site layout, the wooden foot bridge is no longer a necessary feature on the site" and that "the Applicant will explore the possibility of enhancing the dry pond".

Staff recommends that the Applicant provide greater commitments regarding the provision of low impact design ("LID"). Staff also recommends further discussion regarding the possibility of retrofitting the existing dry pond to a retention pond while also providing infiltration measures uphill of the pond. Stormwater management facilities that are wet year-round and developed with amenities can be used to fulfill the project's open space ratio requirement of the land use mix (Revised General Plan, Chapter 6, Open Space Policy 9j).

5. ROAD NOISE IMPACTS

In the first referral, staff noted that the proposed development is adjacent to the Dulles Greenway (Route 267), a major highway, as well as three roadways planned in the Revised Countywide Transportation Plan to be major collectors – Waxpool Road (Route 625), Shellhorn Road (Route 643), and Ashburn Village Boulevard (Route 772). Staff raised concerns that the noise generated by traffic on these roads may adversely impact the proposed residences and recommended that (1) information pertaining to traffic noise levels be submitted for review and (2) that the development be designed to ensure that no noise-sensitive uses have traffic noise impacts. If noise levels are forecasted to approach or exceed acceptable levels, mitigation strategies, such as greater setbacks and the retention of existing vegetation or enhanced landscaping, should be explored. The Plan encourages the use of passive noise abatement measures such as adequate setbacks, earthen berms, wooden fences, and dense tree vegetation and discourages structural measures such as concrete walls (Revised General Plan, Chapter 5, Highway Noise Policies 1 – 3).

The Response to Referral Comments states that the Applicant is in the process of conducting a noise study and, upon its completion, will provide the findings to Staff. The draft proffer statement (Proffer #33) also includes a commitment to provide a noise study prior to the first site plan approval that analyzes the noise impacts adjacent roads may have on the subject property. If noise mitigation measures are recommended, appropriate measures will be implemented. It is not clear what criteria will be used to evaluate noise impacts or what type of mitigation measures will be appropriate.

Staff recommends that a noise study be completed and submitted to the County prior to approval of this rezoning application. If this is not possible within the timeframe of this application, then the Applicant should provide greater commitments ensuring that both exterior and interior spaces will meet Plan policies regarding highway noise and that passive, rather than active, noise abatement measures will be used.

6. SITE DESIGN

Due to the proposed use and location of the subject site, the project should be designed to take into consideration and comply with Plan policies regarding high-density residential communities, the Transit Supportive Area (TSA), and infill developments.

a) Architectural Design

In the first referral, staff recommended that substantial commitments be provided regarding the project's overall site and architectural design such as developing and committing to design guidelines that will outline design commitments for the proposed development, detailed proffers, or a combination of both. The Response to Referral Comments states that "*as evidenced in the Applicant's previously completed projects, i.e., Ashborough, the design of the buildings and*

grounds are considered important aspects of the site. While operating as a rental community, it's in the best interest of the Applicant to develop an attractive site and buildings that will lure prospective tenants and further enhance the living experience for existing tenants". The draft proffer statement (Proffer #26) includes a commitment regarding façade materials and design, stating that the Applicant shall provide exterior treatments to the proposed multi-family structures that include, but are not limited to, brick, stone and/or stone-materials that shall comprise no less than 30% of each building façade and special design attention shall be given to the entrances of the structures. The statement also commits to screening all mechanical equipment (Proffer #27).

Staff recommends greater commitments regarding façade materials and design, including the following:

- all exterior materials, colors, architectural treatments, etc., shall be compatible and complementary;***
- exterior treatments will be provided to the proposed multi-family structures that include, but are not limited to, brick, stone, stone-materials or similar appearing materials that shall comprise no less than 30% of each building façade (addition recommended by staff underlined);***
- architectural elevations, materials and color palettes for any building to be constructed on the Subject Property shall be submitted with the zoning permit application for said building; and***
- trash collection areas will be treated with architectural elements or decorative fencing and landscaping so as to minimize negative visual impacts.***

b) Overall Layout & Streetscape

In the first referral, staff expressed concern that the proposed layout of the development did not achieve many of the design elements described in the Plan for high-density residential areas nor did it reflect its unique location near a future transit station and within the Transit Supportive Area (TSA). Staff recommended a number of design changes aimed at fostering an internal layout oriented towards the pedestrian rather than the car, creating more direct pedestrian and bicycle connections, providing focal points and community gathering places within the community, and incorporating streetscape elements (such as benches, fountains, or other features of interest to pedestrians) that enhance the community's sense of place. The Applicant's response states that the site has been redesigned to provide additional open space and a more grid-like pattern that conforms to plan policies while respecting neighboring land development patterns. Furthermore, pedestrian walkways and community gathering areas will be provided to further enhance the community's sense of place and encourage pedestrian movement.

The project's proposed layout has not substantially changed since the original submission and does not reflect its location within the Transit Supportive Area (TSA). A gated residential community is, in general, not consistent with the Plan's vision for the TSA given that the grid streets network of the TOD cannot be extended onto and through the site nor can multiple and direct vehicular, bicycle, and pedestrian connections to the transit station be provided. The proposed project remains vehicular-oriented, with surface parking lots placed directly adjacent to the front and sides of buildings rather than to the rear. These parking areas will be a predominant visual element in the community and will likely hinder and discourage pedestrian movement. Additionally, buildings remain at angles from one another, inconsistent with a grid-like pattern of development. The common areas that are proposed are largely placed in the leftover spaces between building clusters, hindering their ability to serve as focal points for residents.

Staff recommends that the Applicant redesign the project to better reflect its location within the Transit Supportive Area (TSA). An internal layout oriented towards the pedestrian rather than the automobile would enable this project to better support and facilitate movement to the future transit station and the Transit-Oriented Developments (TODs) that will surround it. This could be accomplished by:

- ***designing the project around a more grid street pattern and emphasizing pedestrian movement;***
- ***orienting the apartment buildings towards the streets with the majority of parking located behind and/or interior to the block (a limited amount of on-street parking could be appropriate);***
- ***landscaping and screening parking lots to maintain an attractive pedestrian-oriented environment;***
- ***providing landscaping, street furniture (e.g. lighting, benches, etc.) and properly located seating areas along the internal roadway(s); and***
- ***relocating the common areas so that they could better serve as focal points within the development.***

c) Compatibility with Surrounding Communities

In the first referral, staff recommended that appropriate measures be incorporated into the project to ensure compatibility with surrounding developments (Revised General Plan, Chapter 6, Infill, Redevelopment and Revitalization Policy 1). For example, staff suggested that it may be appropriate to provide a more pedestrian-oriented streetscape on Ryan Corner Place along the



The townhouses within Parkside at Ashburn provides a pedestrian-oriented streetscape along Ryan Corner Place.

property's western boundary given that the main façade of the townhouses within the Parkside at Ashburn community are placed directly on the roadway. Staff also encouraged the Applicant to meet with surrounding residents to discuss the proposal. The Applicant responded by stating that they will be meeting with neighboring property owners and HOA's to present and discuss the proposed development. The Applicant may consider additional building design and landscaping elements after these meeting(s).

Staff would appreciate information regarding the discussion and outcome of the proposed community meetings, including potential site design changes, as these meetings take place.

d) Variety of Housing Types

Staff in the first referral recommended that the project include a greater variety of housing types, in compliance with Plan policies stating that high-density residential neighborhoods should provide a full range of housing opportunities, including a mix of duplex, single-family attached, and multi-family dwellings, in order to provide variety, improve its sense of place, and help meet the County's affordable housing objectives (*Revised General Plan, High-Density Residential Uses Design Guidelines*). The Applicant responded by stating that *"when viewing this site, the broader context of its surroundings should be considered. This community will consist of multi-family apartment residences, while adjacent properties consist of single family detached, single family attached, multi-family condominium and multi-family apartment residences. These varying housing types achieve the Plan's vision for a greater range of housing types"*.

Staff acknowledges that a wide mix of housing types is provided in the surrounding community. However, County goals for high-density residential projects could be better achieved if a variety of housing types are provided within the project itself. In comparison, Parc Dulles in Sterling is an example of an apartment complex that offers three distinctive building types, providing a multitude of rental options to residents. That apartment complex contains a total of 393 apartments and its more urban environment would be consistent for projects, such as the one being proposed in this application, within the Transit Supportive Area (TSA).

Staff encourages the Applicant to consider providing a variety of housing types.

7. PEDESTRIAN AND BICYCLE CIRCULATION

Because the proposed project is a high-density residential neighborhood within the Transit Supportive Area (TSA), external as well as internal pedestrian and bicycle accommodations have a high priority. In the first referral, staff expressed concern that the vehicular-oriented layout that is currently proposed will inhibit rather than encourage

pedestrian movement, contrary to the Plan's vision for the TSA. The Plan states that multiple and direct vehicular, bicycle, and pedestrian connections to the transit station and the Transit-Oriented Development (TOD) should be provided within the TSA (Revised General Plan, Chapter 6, Transit-Oriented Development (TOD) Policy 18). The Plan also calls for the traditional network of grid streets established within the TOD to be extended into the TSA so that the focus of the development will be on transit and pedestrian (not automotive) circulation (Revised General Plan, Chapter 6, Transit-Oriented Development (TOD) text).

Staff in the first referral provided a number of recommendations to improve pedestrian and bicycle circulation within and through the project. The second submission addresses many of the comments made by staff in the first referral. At the periphery of the site, 10-ft wide asphalt trails are proposed along Waxpool Road, Shellhorn Road, and Ashburn Village Boulevard. Portions of the proposed Waxpool Road and Shellhorn Road trail are off-site on property owned by Flynn's Crossing Homeowners Association; the draft proffer statement commits to the construction of the Shellhorn Road trail, stating that "the Applicant shall attempt to acquire all right-of-way and/or easements necessary to construct this trail through good faith efforts to purchase such property at fair market value. Where right-of-way and/or easements necessary for the construction of the trail cannot be obtained, the Applicant shall request that the County acquire such right-of-way and/or easements by appropriate eminent domain proceedings by the County, with all the costs associated with the eminent domain proceedings to be borne by the Applicant, including, but not limited to land acquisition costs".

Internal to the site, a well-connected system of 5-ft wide sidewalks is proposed that run along the front elevations of buildings as well around and through the common areas. Additional commitments regarding pedestrian and bicycle circulation are provided in the draft proffer statement, including:

- a bus shelter will be designed, constructed and installed proximate to the development's main entrance on Shellhorn Road (Proffer #14);
- sidewalks and trails outside the public right-of-way shall be subject to an easement providing access to the general public in addition to residents (Proffer #17);
- the Applicant shall reimburse the County \$2,500 for installing and constructing a crosswalk and pedestrian island in the median of Ashburn Village Boulevard at its intersection with Shellhorn Road (Proffer #18A);
- enhanced pedestrian crosswalks will be provided at appropriate internal locations that include raised crosswalks and/or changes in textures, patterns, and colors to distinguish between pedestrian and vehicular movement if deemed appropriate by County staff and the Applicant (Proffer #18B); and
- bicycle storage facilities will be constructed providing secure parking for a minimum of 80 bicycles at strategic locations on the property (Proffer #20).

The proposed bicycle and pedestrian network would be enhanced if the project were redesigned to be more reflective of its location within the TSA, as recommended above, for example with short blocks arranged in a rectilinear grid-street pattern in order to make destinations clear and routes easy to navigate for pedestrians. The current layout remains vehicular-oriented and will discourage rather than encourage alternative modes of travel.

Staff recommends that Draft Proffer #17 be revised to be consistent with the Pedestrian and Vehicular Circulation Plan (Sheet 5). Specifically, the proffer statement states that “sidewalks and trails shall be constructed at a width and of materials as required by the FSM”. The Pedestrian and Vehicular Circulation Plan, in compliance with Plan policies, commits to 5-ft wide sidewalks and 10-ft wide asphalt trails, in excess of FSM standards (Bike/Ped Plan, Chapter 4, Walkways & Sidewalks Policy 2a and Recommended Shared Use Facilities, Shared Use Pathways text).

Staff further recommends that Draft Proffer #19 be revised to reflect that a portion of the proposed Waxpool Road trail, like that along Shellhorn Road, is also off-site on property owned by the Flynn's Crossing Homeowners Association. This trail connection will also require the acquisition of right-of-way and/or easements.

Staff also recommends a commitment that internal streets will include streetscape elements that are designed to encourage and foster pedestrian travel such as enhanced landscaping, street furniture, lighting, etc.

Staff requests confirmation that the \$2,500 contribution to the County for installing and constructing a crosswalk and pedestrian island in the median at the Ashburn Village Boulevard/Shellhorn Road intersection is sufficient given that a previously approved application (ZMAP 2003-0013, Ryan's Corner), which proposed fewer dwelling units, committed to providing this connection at no cost to the County.

Staff also requests information regarding whether sidewalks and trails internal to the project will be open to the public. The draft proffer statement (Proffer #17) states that “sidewalks and trails outside the public right-of-way shall be subject to an easement providing access to the general public in addition to residents of the subject property”. The Response to Referral Comments, however, states that it is unlikely that public access through the proposed gated community will be permitted. If public access through the subject site is not permitted, then it is critical that the proposed sidewalk/trail along the property's western boundary, a portion of which runs along the existing Ryan Corner Place, will be outside the development's gates and open to the public. If this is the case, then staff further recommends that its northern portion (currently proposed to be a sidewalk) be

upgraded to a 10-ft asphalt trail as it will likely become a well-used and important pedestrian and bicycle linkage for the surrounding area.

8. AFFORDABLE HOUSING

It is the Plan's intent that high-density residential communities will provide a greater range of housing types and sizes to meet the County's affordable housing objectives (*Revised General Plan, Chapter 11, High-Density Residential Uses Design Guidelines*). In addition to providing Affordable Dwelling Units (ADUs), the project should also address the County's unmet housing needs. On September 18, 2007, the Board of Supervisors adopted revised housing policies with particular attention to unmet housing needs of households earning up to 100% of the Washington Metropolitan Area Median Income (AMI, \$99,000 effective February 13, 2008), that being the area of greatest need in the County (*Revised General Plan, as amended by CPAM 2007-0001, Countywide Housing Policies, Guiding Principles Policy 2, p. 2-12*). Policies also recognize that the largest segment of unmet need is housing for incomes below 30% AMI (*Revised General Plan, as amended by CPAM 2007-0001, Countywide Housing Policies, Guiding Principles Policy 14, p. 2-12*). To help meet these needs, developers of residential and mixed-use projects should include funding commitments and proffers to fulfill unmet housing needs in their development proposals (*Revised General Plan, as amended by CPAM 2007-0001, Countywide Housing Policies, Funding Policy 1, p. 2-12*).

The proposed development commits to conforming to the Affordable Dwelling Unit (ADU) requirements of Article 7 of the Revised 1993 Loudoun County Zoning Ordinance and Chapter 1450 of the Loudoun County Codified Ordinance, which require 6.25% of most multi-family housing units be provided as ADUs. Rental ADUs are available for households whose income is 30% to 50% of the median income for the Washington Primary Metropolitan Statistical Area. Prices on rental ADUs are controlled for 20 years after the initial rental transaction. A total of 34 ADUs³ are anticipated if the project fully builds out as proposed with 540 multi-family (MF) units. No information has been provided regarding what types of ADUs will be provided (e.g., 1, 2 or 3-bedroom units). It would be appropriate if a mix of units sizes is provided, in compliance with Plan policies stating that the County encourages a variety of housing types, sizes and innovative designs to be developed to assist in fulfilling unmet housing needs throughout the County (*Revised General Plan, Chapter 2 as amended by CPAM 2007-0001, Countywide Housing Policies, Guiding Principles Policy 7*).

In addition to providing the required ADUs, the draft proffer statement (Proffer #22) also commits to providing a one-time contribution of \$250 per unit to the County Housing Trust Fund for the "purpose of assisting qualified applicants with a household income of between 0 percent and 100 percent of the Washington Area Median Income to purchase homes in Loudoun County". If the project fully builds out, this contribution to

³ 540 total units x 6.25% = 33.75 ADUs = 34 ADUs

the Housing Trust Fund would equal \$135,000⁴. Staff notes, however, that other recently approved applications proposing residential uses provided a greater contribution to assist the County in meeting unmet housing needs. For example, Arcola Center (ZMAP 2006-0015), approved on December 4, 2007, committed to providing \$500 per unit to the County for this purpose. Another active application, National Conference Center (ZMAP 2007-0004), provides a similar commitment in their draft proffer. One Loudoun (ZMAP 2005-0008), approved on January 16, 2007, committed to providing 20% of their multi-family homes as "Work Force Housing", available for purchasers whose income does not exceed 100% of Loudoun County's Median Household Income.

Staff recommends that a mix of Affordable Dwelling Units (ADUs) be provided that are dispersed throughout the community. It would be appropriate if the size of the ADUs (i.e., 1, 2, or 3-bedroom units) being provided are proportionate to the proposed market rate units.

Staff further encourages the Applicant to provide a more substantial commitment that addresses the full spectrum of unmet housing needs up to 100 percent of the AMI. Providing actual units rather than a cash contribution would be preferred given that locating affordable housing near transit corridors is critical to providing affordable lifestyles for low and moderate-income families who may be particularly transit-dependent.

9. CAPITAL FACILITIES

Under the Revised General Plan, all residential rezoning requests will be evaluated in accordance with the Capital Facility policies of the Plan (Revised General Plan, Chapter 3, Proffer Policy 3). Staff has recalculated capital facility impacts for the proposed development including the costs associated with the provision of safety, government, recreation, and education services, etc based on the most recent submission. The total projected capital facilities impact of the proposed development is \$10,208,160 (excluding proposed ADUs) (see Attachment 1). The County assumes responsibility for the capital facilities impacts up to the base density, which in this case is 1 du/acre for the portion of the property zoned R-16 and 1 du/2 acres for that zoned R-2. The total anticipated capital facilities contribution is \$8,558,816.

The draft proffer statement (Proffer #4) states that the Applicant will pay to the County \$15,763 per dwelling unit as each zoning permit is issued. This per unit calculation is based on an anticipated total capital facilities contribution of \$8,512,020 less a \$50,000 credit for the purpose of constructing concession/restroom facilities, ballfield irrigation, ballfield lighting, or other park amenities in the Ashburn area as defined by the Revised General Plan (Proffer #25). The Plan does not define the Ashburn area, but rather defines the Ashburn Community as one of the four suburban communities located within the County (Revised General Plan, Chapter 6, Suburban Community Boundaries

⁴ 540 MF units x \$250/unit to the County Housing Trust Fund = \$135,000

map). The total capital facilities contribution calculated by the Applicant is approximately \$47,000 less than staff's calculations.

Staff recommends that the draft proffer statement be revised to provide a capital facilities contribution of \$15,849.66 per unit to ensure that the total impacts on capital facilities of the proposed residential development will be mitigated. Staff also recommends that Proffer #25 be revised to state "the Ashburn Community as defined by the Revised General Plan".

10. OPEN SPACE PRESERVATION PROGRAM

To achieve higher density housing, "the Board of Supervisors anticipates evidence of participation in the Open Space Preservation Program". The County anticipates that cash donations for open space will be spent in the Suburban Community in which the increased density is granted" (Revised General Plan, Open Space Policy 3). The draft proffer statement proposes a one-time cash contribution of \$150 per dwelling unit that will be used by the County to purchase open space or to provide active recreation facilities in the Ashburn Community in the Suburban Policy Area as described in the Revised General Plan. This contribution would equal \$81,000 if the project were to fully build out, within the accepted contribution range of \$79,329 to \$104,380 (Attachment 2). However, as stated in the first referral, although the Board has historically accepted \$3,800 - \$5,000 per easement, this amount does not seem reasonable given current market values and the goal of purchase of open space in the Ashburn Community. An additional contribution would also be recommended if the amount of open space providing on-site within the project is not increased to meet Plan policies (see Public Parks & Open Space discussion on pg. 7).

Staff recommends the Applicant contribute land or provide an open space easement contribution equivalent to the cost of purchasing open space in the Ashburn Community.

11. MODIFICATIONS

The Applicant has also requested two modifications to Section 7-1000 of the Revised 1993 Loudoun County Zoning Ordinance in order to permit yard reductions. Specifically, the proposed modifications would (1) allow buildings to have a minimum front yard of 18 feet (rather than 25 feet) adjacent to either a property line or a private access easement and (2) allow buildings to have a minimum side yard of 10 feet adjacent to property lines and 18 feet adjacent to a private access easement (rather than 10 feet or, if a corner lot, 25 feet). The Zoning Ordinance (Section 6-1504, Modifications) states that "No modification shall be approved unless the Board of Supervisors finds that such modification to the regulations will achieve an innovative design, improve upon the existing regulations, or otherwise exceed the public purpose of the existing regulation."

In the first referral, staff found that although the proposed buildings are compatible with one another, there do not appear to be any unique site constraints that warrant a reduction in yard and buffering requirements. Furthermore, the proposed modification request does not achieve an innovative design nor does it exceed the public purpose of the existing regulation. As described above, the project does not fully implement the Plan's vision for a high-density residential community within the Transit Supportive Area (TSA) in several key ways, including the amount of open space provided. For these reasons, it does not appear as though the proposed modifications meet the criteria described in the Zoning Ordinance.

Staff also requested information quantifying how much acreage of open space would be lost should the proposed buffer reductions be approved. Plan policies state that "no buffer standard reductions will be permitted without substitution for other open space on an acre-by-acre basis" (*Revised General Plan, Chapter 6, Open Space Policy 10*). According to the Response to Referral Comments, "*through the redesign of the site, the proposed modifications have allowed the Applicant to further increase the interior open space and provide additional recreation and gathering spaces for residents. The Applicant believes the reduction of open space on the edges of the development in favor of increased interior open space will better serve the residents*". However, as noted above in the Public Parks & Open Space discussion, the project provides only 24% of the interior open space envisioned by the Revised General Plan (1.2 acres provided versus 5.06 acres envisioned by the Plan).

Staff cannot support the proposed modifications at this time. If these modifications are considered further, then staff recommends that the Applicant provide information quantifying how much acreage for open space would be lost should the proposed buffer reductions be approved. This same amount should then be provided elsewhere on the property. As noted above in Section 2.b (Public Parks and Open Space), the project is deficient overall in the amount of open space proposed.

RECOMMENDATIONS

Although the proposed development of multi-family garden-style apartments at 24 du/acre is generally consistent with the site's high-density residential planned land use designation, staff has raised several concerns about the project that should be addressed. Specifically, the proposal's request to maximize the permitted density range of 8 to 24 du/acre may not be justified given that it is surrounded by existing, less dense residential communities and a true transit-supportive design is not proposed. The project should also be revised to address the comments in this referral so that it will fully comply with Plan policies. As always, staff would be happy to meet with the Applicant to discuss these issues.

Attachments

Attachment 1: Capital Facilities Impact Analysis

Attachment 2: Open Space Preservation Program Analysis

cc: Julie Pastor, AICP, Planning Director
Cindy Keegan, AICP, Community Planning Division Manager – via e-mail

Attachment 1- Capital Facilities Impact Analysis
ZMAP 2008-0007, Fairfield at Ryan's Corner

TOTAL PROJECTED CAPITAL FACILITIES IMPACT

The total capital facilities impact of the proposed development is calculated using the approved capital intensity factors for the proposed unit mix, as follows:

<i>Housing Type</i>	<i>Total Number of Units</i>	<i>Capital Intensity Factors</i>	<i>Projected Capital Facilities Impact</i>
Single-Family Detached (SFD)	0	\$46,819	\$0
Single-Family Attached (SFA)	0	\$29,709	\$0
Multi-Family (MF)	540	\$18,904	\$10,208,160
TOTAL	540		\$10,208,160

540 Total Units \$10,208,160 Total Projected Capital Facilities Impact

ANTICIPATED CAPITAL FACILITIES CONTRIBUTION

The anticipated capital facilities contribution of the proposed development takes into account affordable dwelling units (ADUs) and the number of units permitted by the base density. According to a resolution passed by the Board of Supervisors on February 15, 2005, the base density and base unit type of a type of property should be calculated using the current zoning of the property. Revised Capital Intensity Factors (CIFs) were adopted by the Board of Supervisors on July 25, 2006.

1. Number of Market Rate Units Subject to Capital Facilities Proffer Guidelines

<i>Housing Type</i>	<i>Total Number of Units</i>	<i>Number of Proposed ADUs</i>	<i>Number of Market Rate Units</i>
Single-Family Detached (SFD)	0	0	0
Single-Family Attached (SFA)	0	0	0
Multi-Family (MF)	540	34	506
TOTAL	540	34	506

2. Capital Facilities Calculations for Market Rate Units

<i>Housing Type</i>	<i>Total Number of Market Rate Units</i>	<i>Capital Intensity Factors</i>	<i>Capital Facilities Calculations for Market Rate Units</i>
Single-Family Detached (SFD)	0	\$46,819	\$0
Single-Family Attached (SFA)	0	\$29,709	\$0
Multi-Family (MF)	506	\$18,904	\$9,565,424
TOTAL	506		\$9,565,424

3. Capital Facility Credit for Base Density Units assuming Single Family Detached Dwellings

<i>Zoning District</i>	<i>Acres</i>	<i>Density Permitted By-right (du/acre)</i>	<i>Base Density Units</i>	<i>Capital Intensity Factor</i>	<i>Capital Facility Credit for Base Density Units</i>
R-16	21.34	1	21	\$46,819	\$983,199
R-2	1.10	0.5	1	\$46,819	\$23,410
0	0.00	0	0	\$46,819	\$0
TOTAL			21.5		\$1,006,609

4. Anticipated Capital Facilities Contribution

\$9,565,424 - \$1,006,609 = \$8,558,816

\$8,558,816 Anticipated Capital Facilities Contribution

Attachment 2 - Open Space Preservation Program Analysis
ZMAP 2008-0007, Fairfield at Ryan's Corner

Based on the Open Space Proffer Guidelines of the Revised General Plan, the Board of Supervisors anticipates evidence of participation in the Open Space Preservation Program to achieve higher densities in mixed-use communities proposed for development in the Suburban Policy Area. The Plan states that "5% of all residential units associated with densities above 4.0 dwelling units/acre should result from the acquisition of an equivalent number of open space easements." The Plan provides guidelines for the location and types of open space desired to be provided or purchased with cash in lieu on a per unit basis (Revised General Plan, Open Space Guidelines, p. 11-3). For high density residential neighborhoods, 0.05 easements is anticipated for every dwelling unit over a density of 4.0 du/acre.

1. Number of Units Permitted at 4.0 du/acre
$$22.12 \text{ acres} \times 4 = 88.48$$

2. Number of Units Subject to Open Space Proffer Guidelines
$$540 - 88.48 = 451.5$$

3. Exempt Affordable Dwelling Units
$$451.52 - 34 = 417.5$$

4. 5% of Units over 4.0 du/acre
$$417.52 \times 0.05 = 20.88$$

5. Total Units Linked to Open Space Preservation = **20.876**

6. Accepted Contribution Range: \$3,800 to \$5,000 per Easement

\$79,329 to \$104,380

Revised December 31, 2008

A-31

This page intentionally left blank.

County of Loudoun
Department of Planning
MEMORANDUM

DATE: September 2, 2008

TO: Nicole Steele, Project Manager
Land Use Review

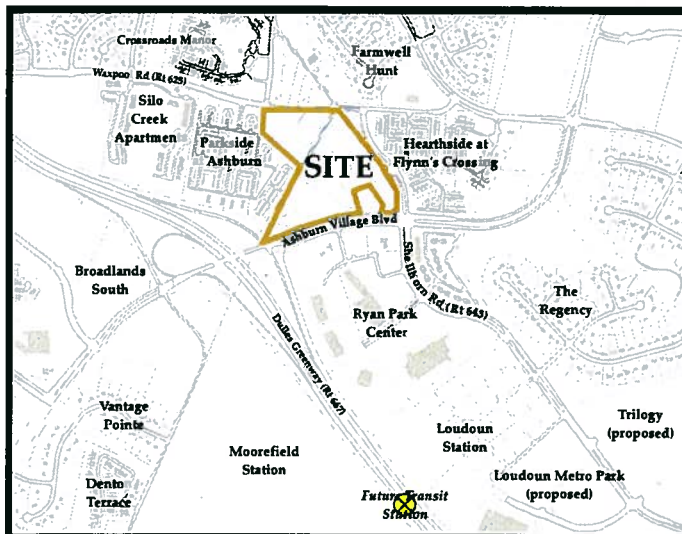
FROM: Sarah Milin, Planner *Sarah*
Community Planning

SUBJECT: ZMAP 2008-0007 – Fairfield at Ryan's Corner

BACKGROUND

Fairfield Ryan's Corner, LLC is requesting to rezone approximately 22.12 acres of land from the R-2 (Single Family Residential) and R-16 (Townhouse/Multifamily Residential) zoning districts to the R-24 Affordable Dwelling Unit (Multifamily Residential with Affordable Dwelling Unit) district in order to develop up to 596 multifamily garden-style apartments. Of the 596 total units, 558 are proposed to be market rate and 38 (or 6.25% of the total number of units) are to be offered as Affordable Dwelling Units, or ADUs. According to the Statement of Justification, a three- and four-level garden apartment gated community is proposed, which will likely be constructed in one continuous phase. While the size of each apartment unit has yet to be determined, the Applicant anticipates that the majority of the

units will consist of one or two bedroom units, while the remainder will have three bedrooms. Two Zoning Ordinance Modifications are also requested in order to reduce the front and side yard setbacks required by the Revised 1993 Loudoun County Zoning Ordinance.



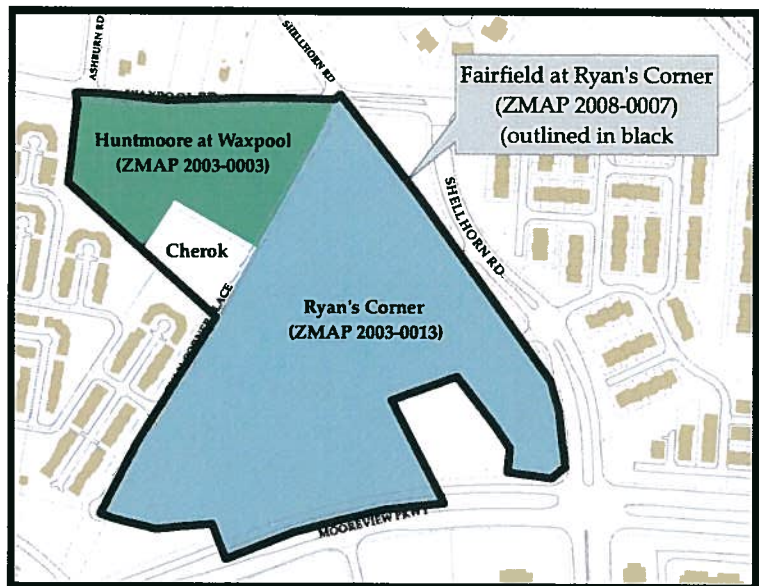
Vicinity Map

The subject property consists of nine parcels that are located north of the Dulles Greenway (Route 267) and west of Shellhorn Road (Route 643), between Waspool Road (Route 625) and Ashburn Village Boulevard (Route 772). The property is within a mile of the future transit station planned on the Dulles Greenway between Route 772 and

A-33

Loudoun County Parkway. Three approved but undeveloped Transit-Oriented Developments (TODs) - Moorefield Station, Loudoun Station, and Dulles Parkway Center II - are located around this station south of the subject property. The County is also currently reviewing two additional applications seeking to rezone to the PD-TRC district - Trilogy (ZMAP 2006-0013) and Loudoun Metro Park (ZMAP 2007-0005). The area surrounding the site has been predominantly developed with townhouse and multi-family residential communities as well as commercial uses at Ryan Park Center. It is bordered on the north by Farmwell Hunt, Crossroads Manor, and a variety of older homes; on the south by Ryan Park Center and vacant property owned by Toll Road Investors Partnership II; on the east by Flynn's Crossing; and on the west by the Alexan at Ryan's Corner.

Eight of the nine parcels included in this application are subject to two previous legislative approvals – Ryan's Corner (ZMAP 2003-0013) and Huntmoore at Waxpool (ZMAP 2003-0003, as amended by ZCPA 2005-0013). The ninth parcel, a 1-acre parcel that is zoned R-2 (the 'Cherok' Property), is not subject to any application. The following table provides a comparison of the active versus approved applications. In summary, this application proposes 416 more dwelling units than the previously-approved applications and multi-family rather than single family attached units.



Comparison of Applications

Table 1. Comparison of Approved versus Active Applications

	<i>Approved Applications</i>			<i>Active Application</i>
	Ryan's Corner (ZMAP 2003-0013)	Huntmoore at Waxpool (ZMAP 2003-0003)	Cherok	Fairfield at Ryan's Corner (ZMAP 2008-0007)
Acreage	16.6 acres	4. 52 acres	1 acre	22.12 acres
Existing/Proposed Zoning	R-16	R-16	R-2	R-24
Dwelling Units (overall density)	143 SFA (8.6 du/acre)	37 SFA (8.2 du/acre)	-	596 MF (26.9 du/acre)
Total Residential	180 SFA (8.5 du/acre)			596 MF (26.9 du/acre)

There has been no development associated with either approved rezoning application and according to the County's Land Information Management System (LMIS), all of the proffers

are still pending. Given that this zoning map amendment proposes a significantly higher density in comparison to these previous approvals, new commitments should be developed with this application that supersede all previously approved proffers associated with ZMAP 2003-0003 and ZMAP 2003-0013. Staff has, however, reviewed the approved proffer statements for the property and incorporated some of these previous commitments, as appropriate, as recommendations for this application. These are noted throughout this document.

A review of County GIS records indicates that forest cover, drains, and a stormwater management facility (a dry pond) are present on the subject property. The Applicant has also identified several small wetland areas. The site is located within the Ldn 60 1-mile buffer airport noise contour of the Washington Dulles International Airport. No floodplains or steep slopes are present.

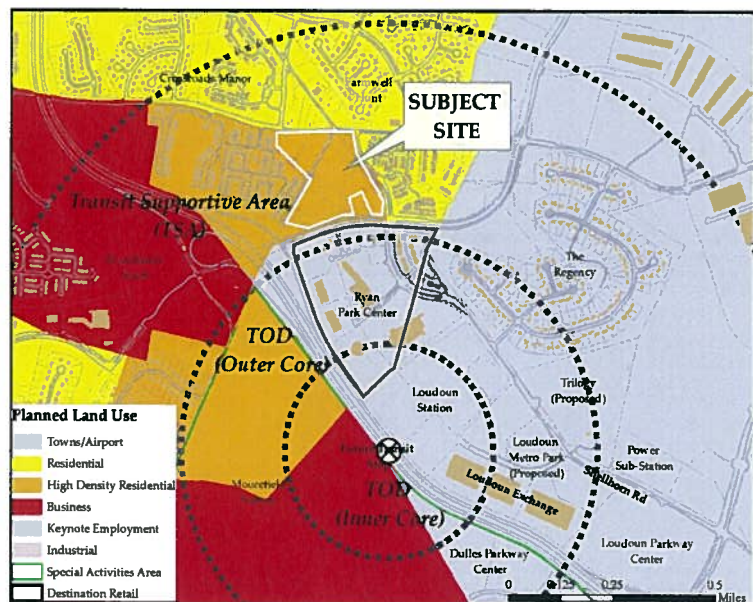
COMPLIANCE WITH THE COMPREHENSIVE PLAN

The subject property is located within the Ashburn Community of the Suburban Policy Area. It is governed by the policies of the Revised General Plan and the Toll Road Plan. Being the newer of the two plans, the Revised General Plan supersedes the Toll Road Plan when there is a policy conflict between the two and when the Revised General Plan provides more details on any aspect of land development (Revised General Plan, text, pg. 1-3). The Loudoun County Bicycle and Pedestrian Mobility Master Plan (Bike/Ped Plan) and the Revised Countywide Transportation Plan (Revised CTP) also apply.

ANALYSIS

1. LAND USE

The subject property is located in an area designated for high-density residential development (Revised General Plan, Planned Land Use Map, pg. 7-23). The Plan envisions that high-density residential uses will develop in a limited number of locations in the County that include designated areas along the Dulles Greenway, within the County's urban and town centers, and in mixed-use Business land use areas (Revised General Plan, text, pg. 6-18). They are intended to accommodate a scale of human activity that is needed to develop



Planned Land Use Map

viable, mixed-use communities and to implement key County objectives including the development of mass transit, provision of affordable housing, preservation of open space,

and efficient use of public facilities and services (Revised General Plan, text, pg. 6-18). The Plan defines high-density residential as development between 8 and 16 dwelling units per acre, but states that densities can range up to 24 units per acre in the Dulles Greenway corridor where transit is anticipated (Revised General Plan, text and Policy 1, pg. 6-18). The subject property is located within the Dulles Greenway corridor, defined as the area within 1.5 miles on either side of the roadway.

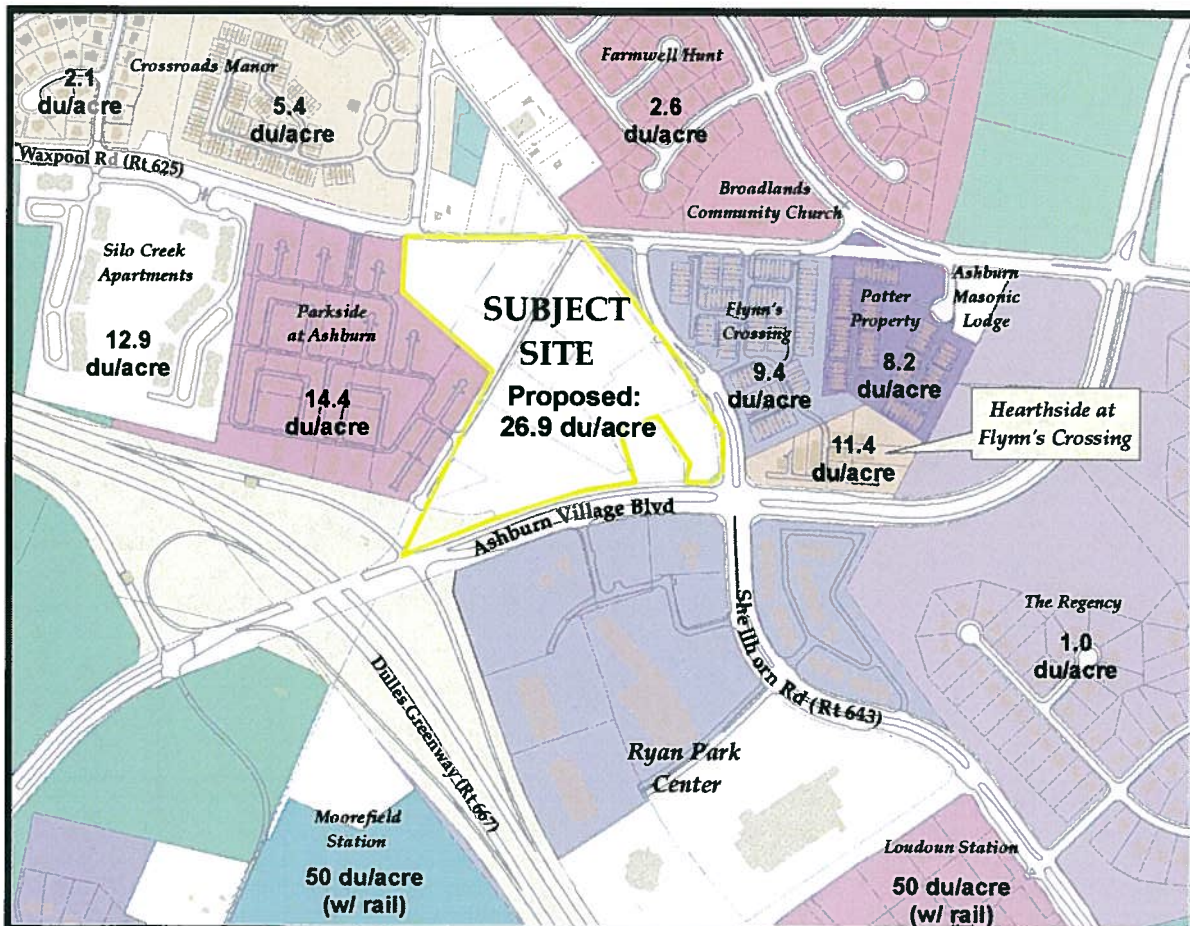
Because the property is located within a mile of a planned transit station, the Transit Supportive Area (TSA) policies also apply to the development of this site. The TSA is intended to provide a transitional and complementary area between the high-density core of the Transit-Oriented Development (TOD) and the surrounding development pattern. The Plan states that development within the TSA should be developed to reflect its underlying land use designation (Revised General Plan, text, pg. 6-23 and Policies 15 & 19, p. 6-25). TSA policy states that these areas should continue the pedestrian-oriented pattern of the transit node core by utilizing short blocks in a rectilinear pattern (Revised General Plan, text, pg. 11-13). The development of the property as a high-density residential community should therefore support and be coordinated to the greatest possible extent with the TODs approved around this transit station.

The application proposes 596 multi-family residential units on 22.12 acres of land, resulting in a density of 26.9 dwelling units per acre. The proposed density exceeds the 24 du/acre envisioned in the Plan for high-density residential developments. However, the project will provide Affordable Dwelling Units (ADUs) in accordance with the Revised 1993 Loudoun County Zoning Ordinance and is therefore allowed "an appropriate density increase" per Plan policy (Revised General Plan as amended by CPAM 2007-0001, Countywide Housing Policies, Policy 1, pg. 6). This policy has been implemented through Article VII of the Zoning Ordinance, which allows a density increase of 10% for multi-family projects when 6.25% of the total units are offered as ADUs. The Board of Supervisors can approve up to 20% bonus density when a greater percentage of ADUs are provided. When the bonus density is taken into consideration, the Plan would envision a total of 583 units¹ to be developed on the subject property. The proposal, at 596 units, exceeds this amount by thirteen units. The project should limit the total number of residential units to 583 units or provide additional ADUs to justify a higher density bonus.

Staff notes that it appears that the Applicant is using a different acreage (22.5 acres) to calculate the density permitted by Plan policies, which includes 0.4 acres that was previously dedicated for Waxpool Road right-of-way. The Statement of Justification indicates that the area being rezoned is 22.12 acres while the Concept Development Plan (CDP), Sheet 3 indicates that it is 22.5 acres. In comparison, the County Assessor's system indicates that the total current acreage of the nine parcels that comprise the zoning map amendment area is 22.18 acres. It is not clear which acreage is the most accurate and no explanation has been given to justify using the highest acreage of 22.5 acres for density calculations.

¹ 22.12 acres * 24 du/acre = 530.88 du * 10% bonus density = 583.968 du's = 583 du's

Although the high-density residential policies of the Revised General Plan permit densities up to 24 du/acre, the subject site is located within a developed area of the County and consideration should be given to how the proposed use functions on the site relative to the established development pattern, rather than simply based on the use itself. The Plan states that the County should consider several criteria when evaluating infill development, including the residential density and use intensity; the ability of the parcel to provide a compatible site design with or without buffering; the amount of open space and impervious surface; and the development pattern and scale (*Revised General Plan, Policy 1, pg. 6-15*). As shown in the map below, the site is surrounded by single family detached, single family attached, and multifamily residential communities and, to the south, by commercial development at Ryan Park Center. The proposed density, at 26.9 du/acre, is much higher than the densities of the residential communities that surround the site. It also appears as though less open space is proposed with this project in comparison with these developed communities. Although higher densities could be justified by its location proximate to the future transit station, the proposed apartment complex has been designed around the vehicle rather than the pedestrian and few transit-supportive elements have been incorporated into the project.



Surrounding Densities (by Subdivision)

Lastly, the Plan states that high-density developments will be based upon the availability of utilities, transportation and public facilities, participation in open space preservation efforts, and the community design and growth management policies of the Plan (Revised General Plan, Policy 1, p. 6-18). The site will be served with public water and sanitary sewer by extension of existing systems. Staff defers to the Office of Transportation Services to determine whether adequate transportation facilities exist and what improvements will be needed to serve the proposed development and the Proffer Matrix Referral Team to provide recommendations regarding public facilities. However, staff notes that the Transit-Oriented Development (TOD) policies of the Plan phase the density based on the availability of alternative modes of transit. Specifically, the TOD can achieve densities up to 16 du/acre when it is served by roads; up to 32 du/acres when bus service and facilities are planned, scheduled, designed and fully funded; and up to 50 du/acre when rail is available (Revised General Plan, Policy 12, pg. 6-25). It may be appropriate to phase the proposed development based on the availability of public transportation systems, namely bus service, to the site. The other factors are discussed throughout this referral and should be fully implemented in order for the project to meet Plan policies.

Staff notes that the uses and density currently approved on the subject property, namely 180 townhouses at an overall density of 8.5 du/acre, is also consistent with the Plan's vision for high-density residential areas which call for densities between 8 and 24 du/acre.

Staff finds that the proposed development of multifamily garden-style apartments is generally consistent with the site's high-density residential planned land use designation. However, the proposed density, at 26.94 du/acre, exceeds the maximum density envisioned by the Plan even when the bonus density for providing ADUs is included. Plan policies would support the development of up to 583 dwellings, which represents a density of 24 du/acre with a 10% bonus density. Alternatively, additional ADUs could be provided. To help clarify this issue, the Applicant should clearly note the acreage of the area being rezoned.

Staff also has some concerns regarding the project's proposal to maximize the density range of 8 to 24 du/acre permitted for high-density residential communities given that it is surrounded by existing, less dense residential communities. A lower density may be more appropriate to the site. The Applicant should provide clear and detailed information demonstrating that the proposal will be compatible with its lower density surroundings through design, buffering, transportation improvements, ample pedestrian and bicycle accommodations, and the provision of ample open space. Alternatively, the higher density currently proposed could be better justified if the project is redesigned to be more pedestrian-oriented and take advantage of its location near a future transit station.

Lastly, staff recommends that the project fully implement Plan policies regarding public facilities, open space preservation, and community design/growth

management. Information regarding the availability of public transportation to serve the site, in particular bus service, is also requested.

2. LAND USE MIX

The Revised General Plan envisions that high-density residential areas will contain a mixture of residential, public and civic, and open space uses. Employment (office and light industrial) uses are also permitted but are not required (Revised General Plan, Policy 3, pg. 6-19). As shown in the following table, the proposed development does not meet the recommended land use for public and civic uses nor for public parks and open space and exceeds the percentage allowed for the development of high-density residential uses.

Table 2. Plan's Recommended Land Use Mix for High-Density Residential Neighborhoods

<i>Land Use Category</i>	<i>Plan Policy</i>	<i>Proposal</i>
High-Density Residential	40 – 60% (8.9 – 13.3 acres)	78% (17 acres)
Office, Light Industrial	0 – 20% (0 – 4.4 acres)	0%
Public & Civic	Minimum 10% (At least 2.2 acres)	1% (0.25 acres*)
Public Parks & Open Space	Minimum 30% (At least 6.6 acres)	20% (4.4 acres**)

* Assumes that a quarter of the 1-acre area containing the clubhouse/pool & leasing office consists of public & civic uses.

** Includes 2.42 acres of perimeter buffers and 1.95 acres of interior open space (0.4 acres for the area containing the tot lot, 0.8 acres for the area containing the pool & bathhouse and the tot lot, and 0.75 acres of the area containing the clubhouse/pool & leasing office).

a) Public & Civic

The Plan envisions that at least 10% of the gross acreage of high-density residential developments will consist of public and civic spaces (Revised General Plan, Policy 3, p. 6-19). For this property to comply with Plan policies, at least 2.2 acres (10% of the total 22.12 acreage) should be developed with these types of uses. Civic uses, as defined in the Plan, are "public or quasi-public institutional uses... and typically include small churches, fire and rescue facilities, schools, day care centers, group homes, community centers, post offices, and community clubhouses" (Revised General Plan, Glossary, p. G-2).

The Concept Development Plan (CDP) indicates that three civic and recreational areas are proposed that will include two tot lots, a pool and a bathhouse, and a clubhouse/pool and leasing area. With the information currently provided, only one of these amenities (the community clubhouse) would meet the Plan's definition of a civic use. The leasing center could also be considered a civic use if a meeting space for residents is provided. The other proposed amenities (tot lots, pools, and a bathhouse) are considered to be active recreational uses and are therefore included in the open space calculations (see Section 2.b, Public Parks & Open Space below). A specific layout for the 1-acre area containing the clubhouse/pool & leasing office has not been provided and therefore staff cannot accurately determine how much space the proposed civic use will occupy. For

the purposes of this referral, staff assumes that a quarter of this area (or 0.25 acres) will be developed with public/civic uses and three-quarters (or 0.75 acres) as public parks & open space. Using this calculation, the project includes only 0.25 acres of public/civic space, far less than the 2.21 acres envisioned by the Plan.

The Plan recognizes that the land use mix may not be achievable for properties less than 50 acres due to their small size and allows rezoning applications to vary from the mix by showing that an alternative is more appropriate to the specific site. This can be accomplished by providing a survey of land uses within a 1,500-foot radius of the site (*Revised General Plan, Policy 8, p. 6-7*). Although a survey was not provided with the application, the Statement of Justification indicates that the Heritage Baptist Church on Shellhorn Road is located within close proximity to the site (within 600 feet of its northern property border) and will help address the civic needs of the proposed community. Other civic uses within 1,500 feet of the site include the Broadlands Community Church and the Ashburn Masonic Lodge.

Given that the proposed project is a gated, multi-family residential community, staff finds that the proposed clubhouse, when considered in addition to the other amenities proposed, is an appropriate civic use for this project. However, additional commitments regarding specific amenities that will be provided in this space, as well as a minimum size, are recommended. For example, it would be appropriate to commit to a meeting space for residents in this building.

In addition, staff recommends that a gathering place for the community, such as a covered picnic area or large gazebo, be provided in one of the proposed open spaces.

b) Public Parks & Open Space

All residential neighborhoods within the Suburban Policy Area should feature a mix of open space. Open space can include a variety of passive, active and recreational open space, including woods, wetlands, wet ponds, neighborhood and community parks, community gardens, athletic fields, tot lots, hiking and biking trails, streetscape areas, and other natural or man-made features that function as amenities for a planned development (*Revised General Plan, text and Policy 1, pg. 6-10*). Plan policies state that high-density residential neighborhoods will incorporate open space at a minimum of 30% of the gross acreage of the property (*Revised General Plan, Policy 3, p. 6-19*). At least 75% of this amount should be interior open space; perimeter buffers and leftover spaces can only account for 25% of the open space requirement (*Revised General Plan, Policy 1, p. 6-10*). The Plan allows up to 50% of the required open space to be obtained off site within the same suburban community, for example priority open space areas, greenbelts, and components of the Green Infrastructure (*Revised General Plan, Policy 8, pg. 6-11*).

A.40

The proposed open space within the project includes a mix of perimeter buffers and three internal common areas containing a variety of active recreational uses, including two tot lots, two pools and a bathhouse. As noted above, staff has assumed that three-quarters of the area containing the clubhouse/pool & leasing office (or 0.75 acres) will be developed as public parks & open space and the remainder as public/civic uses. According to staff's calculations, approximately 20% of the site's total acreage (or 4.4 acres) is proposed to be open space, less than the 30% (or 6.6 acres) that the Plan envisions. The project also does not provide a sufficient amount of interior open space. The Plan envisions that 75% of the open space that is provided, or 4.95 acres, will be internal to the site. The three internal common areas, in comparison, consist only of 1.95 acres.

The Plan recognizes that the provision of sufficient open space is especially critical within high-density residential neighborhoods because of the greater concentration of residents. The Plan states that within these neighborhoods, sufficient space must be set aside in the form of neighborhood and community parks, greens, trails and greenbelts so that all residents, especially children, can easily walk to and enjoy the open space (*Revised General Plan, Design Guidelines, p. 11-10*). Additional open space could be retained on the subject property by reducing the overall density or with the provision of underground parking or parking structures and/or larger (i.e., greater than 4 stories) buildings. These changes would be in keeping with Plan policies for high-density residential neighborhoods which encourage the use of structured parking and the provision of a full range of housing opportunities (*Revised General Plan, Design Guidelines, pg. 11-9*).

It also appears that the project does not provide the mix of open space envisioned by



Incorporating mature vegetation in active recreational areas, such as tot lots, enhances these spaces for their users (as shown here in Brambleton).

the Plan as much of the space that is proposed will contain the same types of active recreational uses, namely tot lots and pools. The Plan envisions that a mix of open space should be provided, including active and passive and/or natural open space areas as appropriate to the scale and location of the site (*Revised General Plan, Policy 1, pg. 6-10*). Subsequently, any additional open space that is incorporated into the project should consist mainly of natural open spaces, including Tree Conservation Areas (TCAs) as appropriate, or other types of active recreational areas such as picnic areas, playfields, etc.

Lastly, staff notes that in addition to these spaces, an existing stormwater management facility – a dry pond - is present in the southeast corner of the property at the intersection of Shellhorn Road and Ashburn Village Boulevard that occupies approximately 1.3 acres of the property. Per Plan policies, this space can not help fulfill the open space ratio requirement of the land use mix as it is not a water feature that will be wet year-round (Revised General Plan, Policy 9j, p. 6-11).

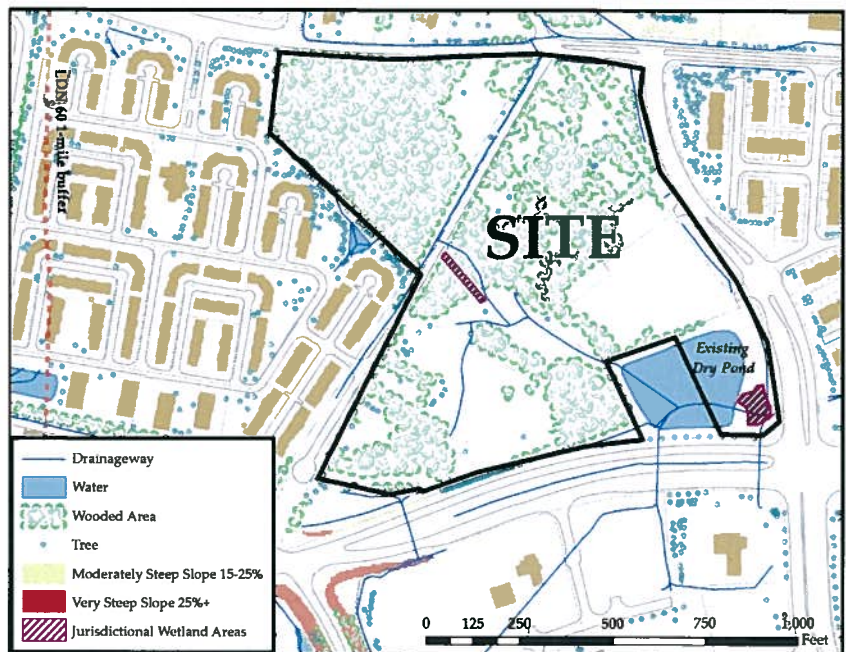
Staff recommends that the project comply with the open space policies of the Plan by fully incorporating at least 6.6 acres of open space, of which at least 4.95 acres should be internal to the site. This additional open space should consist primarily of additional passive and/or natural areas, such as neighborhood parks, or different types of active recreational uses than are currently proposed.

Staff also recommends that the following elements be considered and committed to:

- **Pedestrian access from entrances of proposed multi-family structures and a design that makes them focal points and community gathering places for the community;**
- **Designation of open spaces as Tree Conservation Areas (TCAs), with appropriate management and uses allowed;**
- **Design that accommodates and encourages use by residents, such as the provision of picnic or seating areas, other street furniture, gazebos, etc. The project should commit to both the specific amenities, including play equipment within the tot lots, that will be provided as well as the minimum size of these areas. Per Plan policy, pocket parks, landscaped gardens, community gardens and greens should be at least 2,500 sq ft and tot lots must be 5,000 sq ft (Revised General Plan, Policies 9c, 9f, and 9g, pg. 6-11).**

3. EXISTING CONDITIONS

The Revised General Plan defines the County's Green Infrastructure as a "collection of natural, cultural, heritage, environmental, protected, passive, and active resources that will be integrated in a related system" (Revised



Existing Conditions

A.42

General Plan, Policy 1, p. 5-1). The following Green Infrastructure elements have been identified on the subject property: forest cover, drains, and wetlands. There is an existing stormwater management facility (a dry pond) in the southeastern corner of the site. Additionally, the site is located completely within the Ldn 60 1-mile buffer of the Washington Dulles International Airport. The Applicant has provided specific information and/or reports regarding the site's forest cover types, archaeological and historical resources, endangered and threatened species, and jurisdictional waters.

a) Existing Vegetation

The Revised General Plan recognizes that forests and trees are a valuable resource in Loudoun County that should be protected for current and future use (Revised General Plan, text, pg. 5-32). The Plan directs land development, to the greatest extent possible, to preserve and maintain trees and native vegetation on site in order to retain the various economic and environmental benefits such natural habitat provides (Revised General Plan, text and Policy 1, pg. 5-32). In addition, protection of trees along roadways is encouraged (Revised General Plan, Policy 7, pg. 5-32). Plan policies also call for the submittal and approval of a tree conservation or forest management plan prior to any land development that "demonstrates a management strategy that ensures the long-term sustainability of any designated tree save area" (Revised General Plan, Policy 3, pg. 5-32).



Staff places a priority on preserving portions of the mixed hardwood forest located on the property.

Four reports describing the type and extent of tree cover on different areas of the site have been provided with the application. Overall, approximately half of the site is forested. Tree Conservation Areas (TCAs) have not been delineated on the Concept Development Plan (CDP) and therefore it is not clear whether any of the site's existing trees or vegetation will be preserved and incorporated into its development. The most significant tree resource on the property is a 4.2-acre mixed hardwood forest (Cover Type 'A') located in the northwest corner of the site (on the former 'Huntmoore at Waxpool' site) that is dominated by green ash. However, green ash is susceptible to the emerald ash borer, leaving the future of these tree stands in doubt even if they are preserved in TCAs. Other forested areas include fence rows and an immature, uneven-aged evergreen community comprised mainly of eastern red cedar and Virginia pine. The remainder of the property contains open fields with no

trees, lawn trees surrounding vacant residences, existing pavement, and developed, highly-disturbed areas.

Although tree preservation on this site may require special considerations, there appears to be opportunity to integrate the existing trees into the designated open spaces and

required perimeter buffers. In addition to providing a variety of natural benefits, maintaining some of the existing tree canopy would enhance these spaces, provide shade, and be a nice amenity for this community. If it is not possible or desirable to preserve the existing forested area, then it may be appropriate to commit to enhanced landscaping and buffering in order to regain the lost canopy. As noted above, an additional 3 acres of interior open space are needed so that the project will meet the Plan's recommended land use mix for open space areas. Providing one large or several smaller TCAs could help the project better meet Plan policies.

Staff notes that it appears as though two surveys have been provided for the Cherok property that are inconsistent with each other: *Wetland Studies and Solutions, Inc. Tree Stand Evaluation and Tree Inventory for Ryan's Corner* (November 21, 2002) and *Wetland Studies and Solutions, Inc. Tree Stand Evaluation for the Cherok Property* (September 19, 2007). Specifically, the 2002 report indicates that four specimen trees are on this 1-acre property whereas the more recent, 2007 report identifies just one.

Staff also requests confirmation that no specimen trees are located on the former Ryan's Corner site as that survey (the March 10, 2003 *Zimar & Associates, Inc. Forest Cover Type Inventory/Management Plan for Ryan Center*) did not provide any such information.

Staff recommends that portions of the site's existing vegetation be preserved through the designation of Tree Conservation Areas (TCAs), for example within open space area, perimeter buffers, and along roadways. It may be desirable, given that the site's existing forest cover contains green ash as well as other hardwood and evergreen species, to have a professional arborist survey the site, once the proposed design is finalized, to determine tree preservation options and the feasibility of any TCAs. Should existing vegetation be preserved as recommended, staff further recommends the provision of a forest management plan that addresses the sustainability of tree conservation efforts.

If it is determined that TCAs are not appropriate for this site, then staff recommends that the Applicant consider transplanting invigorated, open grown canopy trees not susceptible to the ash borer to the open space areas to enrich tree canopy and shade opportunities. Enhanced landscaping and buffering along the roads that surround the site could also be provided. A landscaping plan should be developed and committed to that includes ample trees along streets, buffers, and open space areas.

Staff also requests that the Applicant clarify which survey for the Cherok property is the most accurate and whether any specimen trees are present on the former Ryan's Corner site.

b) Wetlands

Several documents have been provided with the application evaluating the site for jurisdictional wetlands and other waters of the U.S. (i.e., streams and ponds). Two such areas have been identified: a palustrine forested (PFO) wetland along an intermittent stream in the site's interior and a palustrine emergent (PEM) wetland adjacent to the stormwater management pond in the southeastern corner of the site. Letters have been provided from the U.S. Corps of Engineers (dated August 4, 2005) confirming the wetland delineation and from the Virginia Department of Environmental Quality (December 6, 2005) giving a notice of authorization to permanently impact the PFO wetland consisting of 0.02 acres. The County supports the federal goal of no net loss to wetlands (Revised General Plan, Policy 23, p. 5-11). Furthermore, the County's strategy is to protect its existing Green Infrastructure elements and to recapture elements where possible (Revised General Plan, text, p. 6-8).

Staff recommends that all impacts to wetlands or waters of the U.S. associated with development of the subject property be mitigated on-site or in close proximity to the development.

c) Stormwater Management

The County encourages new developments to incorporate low impact development (LID) techniques (Revised General Plan, Policy 2, p. 5-17). LID uses natural vegetation and small-scale treatment systems to treat and infiltrate rainfall close to the source. LID's goal is to mimic a site's predevelopment hydrology by using design techniques that infiltrate, filter, store, evaporate, and detain stormwater runoff. LID locates water quality measures at the closest possible proximity to proposed impervious areas. An existing stormwater management facility (a dry pond) is present in the southeastern corner of the site that serves Ryan Park Center. No other information has been provided. Staff notes that both of the previously-approved applications (Ryan's Corner and Huntmoore at Waxpool) committed to enhanced stormwater management techniques, including LID measures and markings on storm drainage inlet structures.



The existing dry pond.

Staff recommends that the site's stormwater management approach integrate low impact development (LID) techniques, such as planting vegetation in buffer strips and/or rain gardens adjacent to roadways and within parking areas or open space areas.

Staff also recommends that the project provide enhanced measures similar to those committed to with the previously approved applications for the property, including that wooden foot bridges will be constructed to cross the LID areas; that all storm drainage inlet structures will be marked with "DO NOT DUMP OIL" or other such appropriate markings; and that the property owner will be responsible for maintaining the legibility of such markings.

The Applicant should also explore whether converting the existing dry pond to a wet stormwater management facility would be feasible. A wet pond that is naturally-shaped and landscaped could be a nice amenity for the community and could help fulfill its open space land use mix component.

d) Plant and Wildlife Habitats

Plan policies state that development applications with the likelihood of impacting one or more natural heritage resources will conduct a species assessment and develop a plan for impact avoidance if the presence of a natural heritage resource is identified (Revised General Plan, Policy 8, p. 5-33 & 5-34). The Virginia Department of Conservation and Recreation (DCR), Division of Natural Heritage (DNH) defines natural heritage resources to include rare, threatened, and endangered plant and animal species; exemplary natural communities, habitats, and ecosystems; and significant geologic formations (Revised General Plan, Policy 8, p. 5-33 & 5-34).

The application contains the following materials pertaining to natural heritage resources,:

- ◆ a letter from the Virginia Department of Conservation and Recreation (DCR) (March 17, 2008) pertaining to the entire rezoning area;
- ◆ a *Threatened and Endangered Species Records Review* performed by ECS Mid-Atlantic (ECS) (August 28, 2007), also for the entire site;
- ◆ an *Endangered and Threatened Species Habitat Evaluation and Rare Plant Species/Community Assessment* for the 1-acre Cherok Property that was prepared by Wetland Studies and Solutions, Inc. (WSSI) (September 19, 2007); and
- ◆ an *Endangered and Threatened Species Habitat Evaluation* for the 5.68-acre property that was the subject of ZMAP 2003-0003, Huntmoore at Waxpool that was prepared by Wetland Studies and Solutions, Inc. (WSSI) (September 19, 2007).

The Applicant has searched the threatened and endangered species database of the Virginia Department of Conservation and Recreation (DCR) and the Virginia Department of Game and Inland Fisheries (DGIF), and overall, it is not anticipated that the proposed project will adversely impact any natural heritage resources, including any documented state-listed plants or insects. The in-depth surveys that have been completed for approximately 7 acres of the site did not observe any federally or state-listed endangered or threatened species, rare diabase-associated plant species, or rare plant communities, concluding that there is low probability that these resources occur within the study area due

A.46

to the lack of suitable habitat on the property. However, the ECS review, which pertains to the entire site, stated that Henslow's Sparrow, a state threatened (ST) and a Federal Species of Concern (FS), has been documented within two miles of the subject site. ECS recommended that habitats located on the project site that match the described species specific habitat be identified and surveyed, although current habitat conditions do not appear to be suitable to sustain populations of this bird species. The surveys that have been completed for the Cherok property and the former Huntmoore at Waxpool properties did not observe any suitable habitat for this species on the site.

Staff requests confirmation that there is no suitable habitat for the Henslow's Sparrow on the 16.6 acre-Ryan's Corner property that was subject to ZMAP 2003-0013.

e) Historic Resources

The Revised General Plan states the County will require an archeological and historic resources survey as part of all development applications (Revised General Plan, Policy 11, p. 5-36). Two Phase 1 Archaeological Investigations have been provided. Staff's review of these reports will be sent under separate cover.

f) Lighting

The Revised General Plan states that the beauty of the County's night sky is threatened by excessive and improper lighting. The Plan promotes the use of lighting for convenience and safety without nuisance associated with light pollution (Revised General Plan, Policy 1, p. 5-41 and text, p. 5-42). No detailed information regarding lighting has been provided.

Staff recommends that the Applicant commit to lighting that is downward directed, is fully shielded, provides a glare-free environment, is confined to the site, and has illumination levels that are no greater than necessary for a light's intended purpose. All lighting should be designed to preclude light trespass onto adjoining properties, glare to passerby, skyglow, and deterioration of the nighttime environment.

g) Aural Environment

Loudoun County's efforts to protect existing and future residents from increased levels of environmental noise have largely focused on airport and highway noise (Revised General Plan, text, p. 5-42).

- **Airport Noise**

The project is located near the Washington Dulles International Airport and falls within the Ldn 60 1-mile buffer of the Washington Dulles International Airport. Plan policies state that the County will require a Full Disclosure Statement for all new residential dwelling units to be constructed outside of, but within, one (1)

mile of the Ldn 60 contour (Revised General Plan, Policy 6, p. 5-46). This policy has been implemented through the Airport Impact (AI) Overlay District (Section 4.1400) of the Revised 1993 Loudoun County Zoning Ordinance. Note #10 on Sheet 1 indicates compliance with this section of the Zoning Ordinance.

Staff finds that the Airport Noise policies of the Revised General Plan have been addressed.

- **Road Noise Impacts**

The Plan states that the "County will require all land development applications that propose land uses adjacent to any of the existing and/or proposed arterial and major collector roads will be designed to ensure that no residential or other type(s) of noise-sensitive use(s) will have traffic noise impacts which occur when the predicted traffic noise levels approach or exceed the noise abatement criteria on the Noise Abatement Criteria (NAC) Hourly A-weighted Sound Levels table, or when predicted traffic noise levels substantially exceed existing noise levels" (Revised General Plan, Policy 2, p. 5-47). When these noise levels are exceeded, passive noise abatement measures, such as adequate setbacks, earthen berms, wooden fences, and/or dense tree vegetation, should be used (Revised General Plan, Policy 2, p. 5-47). The Plan discourages the use of structural measures, such as concrete walls, unless the noise abatement criteria cannot be met with passive measures (Revised General Plan, Policy 2, p. 5-47).

The proposed development is adjacent to three roadways planned in the Revised Countywide Transportation Plan to be major collectors – Waxpool Road (Route 625), Shellhorn Road (Route 643), and Ashburn Village Boulevard (Route 772). It is also adjacent to the Dulles Greenway (Route 267), a major highway. The noise generated by traffic on these roads may adversely impact the proposed residences. Staff notes that the previously approved applications for the property (ZMAP 2003-0013, Ryan's Corner and ZCPA 2005-0013, Huntmoore at Waxpool) both committed to mitigating road noise impacts.

Staff requests that information pertaining to traffic noise levels be submitted for review and that the development be designed to ensure that no noise-sensitive uses have traffic noise impacts. If noise levels are forecasted to approach or exceed acceptable levels, mitigation strategies, such as greater setbacks and the retention of existing vegetation or enhanced landscaping, should be explored.

If such an analysis is not possible within the timeframe of this application, then staff recommends a commitment that such an analysis be conducted prior to site plan and that passive noise abatement measures, such as adequate setbacks, earthen berms, wooden fences, and/or dense tree vegetation, will be integrated into the project so that the Federal Highway

Administration Noise Abatement Criteria (NAC) Hourly A-weighted Sound Levels are not approached or exceeded.

h) Energy Efficient Design

The County encourages development that utilizes energy efficient design and construction principles, promotes high performance and sustainable buildings, and minimizes construction waste and other negative impacts (Revised General Plan, as amended by CPAM 2007-0001, Countywide Housing Policies, Guiding Principle 12, pg. 4).

Staff encourages the Applicant to incorporate energy efficient and sustainable design and construction principles into the development of the project.

4. SITE DESIGN

Due to the proposed use and location of the subject site, the project should be designed to take into consideration and comply with Plan policies regarding high-density residential communities, the Transit Supportive Area (TSA), and infill developments. Overall, the Revised General Plan states that the County will achieve and sustain a Built Environment of high quality, recognizing the importance of this for the health, safety, convenience and general welfare of the County's residents and visitors and its importance for the vitality of the County's economy in attracting and sustaining private investment (Revised General Plan, Policy 1, pg. 5-5). The Concept Development Plan (CDP) depicts the location of buffers, active recreational spaces, and vehicular circulation paths, including the locations of three gated entrances. Two access points to the development are proposed, the main one along Shellhorn Road and a secondary one on Waxpool Road. Additional site design details, including building footprints and the location and extent of surface parking lots, are instead provided on an Illustrative Plan, which will not be committed to. The Illustrative plan suggests that sixteen buildings may be constructed on the site (approximately 37 units per building) generally in a clustered pattern around the three common/active recreation areas. Surface parking lots and vehicular travelways then surround these clusters.

Staff notes that more detailed information regarding the design of the community has not been provided, such as architectural renderings, illustratives showing the streetscape, or a landscaping plan. Without such information, it is difficult to determine if the project will comply with the site design policies of the Plan once it is built.

Staff recommends that the application provide substantial commitments regarding the overall site and architectural design that address the comments below and will ensure a high-quality built environment. This could be accomplished by developing and committing to design guidelines that will outline design commitments for the proposed development, detailed proffers, or a combination of both.

a) Overall Layout & Streetscape

Plan policies call for all residential communities to include an efficient and compact site and roadway layout with adequate open space (active, passive and natural); streetscapes that include sidewalks, street trees, pedestrian-scale lighting, pedestrian and roadway linkages to other neighborhoods and communities; and the full protection of the green infrastructure. Smaller high-density residential neighborhoods should focus on a public green or park, civic buildings such as a church or community center, or a small neighborhood commercial center (Revised General Plan, text, pg. 6-16). Parking lots should be placed to the rear of buildings to the greatest possible extent (Revised General Plan, Design Guidelines, p. 11-10).

It appears that the proposed layout does not achieve many of the design elements described in the Plan for high-density residential areas. The project appears to have been designed to accommodate the car rather than the pedestrian. Parking areas are placed directly adjacent to the front and sides of buildings, rather than to the rear, and will be a predominant visual element in the community. These parking areas will hinder and discourage pedestrian movement.



High-density residential communities should be organized around a prominent gathering space that is located centrally in the community.

Additionally, buildings are set at angles from one another and direct routes to external locations, particularly the future transit station and the commercial development at Ryan Park Center, are not provided. Furthermore, an insufficient amount of internal open space is proposed. The public and open spaces that are proposed are largely placed in the leftover spaces between building clusters, limiting their ability to serve as a focal point for the community. This is contradictory to the Plan's vision that compatible civic and public uses will be incorporated into high-density residential communities that are designed to be a residential neighborhood center and will foster a strong sense of community (Revised General Plan, Design Guidelines, pg. 11-10).

Staff recommends that project be designed around a more rectilinear grid street pattern that places buildings close to the street with minimal setbacks; provides surface parking lots behind or to the side of buildings, with on-street parallel parking; locates public/civic and open spaces in more prominent places where they can serve as community gathering areas; and incorporates streetscape elements (such as benches, fountains, or other features of interest to

pedestrians) that enhance the community's sense of place and encourage pedestrian movement. Buildings should ideally incorporate a variety of designs and incremental setback variations in order to create shadows and interest. All rooftop mechanical equipment should be designed to appear as part of the building, for example behind roof façade parapets and all ground mounted mechanical equipment should also be screened from view.

b) Transit-Supportive Design

The proposal should also be designed to emphasize pedestrian movement and serve as a transitional and complementary area between the high-density core in the Transit-Oriented Development (TOD) planned to the south of the site and the surrounding development pattern, reflective of its location within the TSA (*Revised General Plan, Policy 16, p. 6-25*). The Plan states that developments within the TSA should provide for the continuation of the pedestrian-oriented pattern, with short blocks arranged in a rectilinear pattern to facilitate pedestrian access to feeder bus stops, and efficient access for the feeder buses to the Transit Node core (*Revised General Plan, Design Guidelines, pg. 11-13*).

In general, a gated residential community is not consistent with the Plan's vision for the TSA given that the grid streets network of the TOD cannot be extended onto and through the site nor can multiple and direct vehicular, bicycle, and pedestrian connections to the transit station be provided. However, the grid street network from Loudoun Station has already been interrupted by the commercial development at Ryan Park Center and several other gated communities are adjacent to the site along Waxpool Road. Despite this, an opportunity exists at this site to provide a project that is less suburban and more urban in nature, one that will encourage rather than inhibit pedestrian and bicycle travel. Should this application be approved as a gated community, Shellhorn Road will serve as the main pedestrian and bicycle connection to the future transit from the north.

Staff recommends that the Applicant redesign the project to better reflect its unique location within the Transit Supportive Area (TSA). An internal layout oriented towards the pedestrian rather than the car, as described above, would enable this project to better support and facilitate movement to the future transit station and the Transit-Oriented Developments (TODs) that will surround it. At a minimum, pedestrian gates should be provided along the project's southern boundary to allow residents of the proposed apartment complex to more directly access the shops at Ryan Park Center as well as the future transit station when it arrives.

c) Compatibility with Surrounding Communities



The townhouses within Parkside at Ashburn provides a pedestrian-oriented streetscape along Ryan Corner Place.

Given that the subject site is located within a developed, stable area of the County, the proposed design should also be compatible, with or without buffering, to the communities and development that surrounds it (Revised General Plan, Policy 1, pg. 6-15). The site is immediately adjacent to several residential communities, including Crossroads Manor, Farmwell Hunt, Flynn's Crossing, and Parkside at Ashburn. As noted above, the proposed density, at 26.9 du/acre, is much higher than the densities of the residential communities that surround the site.

Staff encourages the Applicant to meet with surrounding residents to discuss the proposal. For example, it may be appropriate to provide a more pedestrian-oriented streetscape on Ryan Corner Place along the property's western boundary given that the main façade of the townhouses within the Parkside at Ashburn community are placed directly on the roadway. If such a design is not possible, ample landscaping which includes the selective preservation of existing trees to shield the proposed surface parking lots may be desirable.

d) Edge Screenings

Yards, fences, walls, or vegetative screening should be provided at the edges of developments where needed to protect residents from undesirable views, lighting, noise, or other off-site influences, or to protect residents of adjoining residential neighborhoods from similar adverse influences (Revised General Plan, Design Guidelines, p. 11-10). The Applicant will provide the buffer yards and landscaping required by the Revised 1993 Loudoun County Zoning Ordinance. As recommended in the Existing Vegetation section (Section 3.a) above, preserving and enhancing the forested areas along the perimeter of the development can accomplish multiple objectives, including: 1) buffer the proposed development from the lower-density uses that surround it; 2) distinguish the community by providing a visual and aesthetic separation from the surrounding residential communities; and 3) enhance the pedestrian experience along these roadways.

Staff also notes that a small parcel containing 0.86 acres that is owned by the Flynn's Crossing Homeowners Association is adjacent to the subject site at the Shellhorn Road/Waxpool Road intersection. This unimproved parcel is separated from the Flynn's Crossing community by a major roadway (Shellhorn Road) and visually appears to be part of the subject property. The Applicant may wish to coordinate with the Flynn's Crossing Homeowners Association to improve this leftover space and make it an

amenity for both communities. Should improvements be made, staff would allow this site to be counted towards the project's overall public parks and open space calculations.



A 0.86-acre parcel owned by Flynn's Crossing Homeowner's Association is located adjacent to the subject property at the corner of Waxpool Road and Shellhorn Road.



View of this parcel from Waxpool Road looking towards Shellhorn Road.

Staff recommends that enhanced landscaping that goes beyond Zoning Ordinance requirements be provided along the site's perimeter. Such landscaping should include the existing trees as appropriate.

Staff also encourages the Applicant to contact the Flynn's Crossing Homeowners Association to discuss potential improvements to the small parcel adjacent to the property. For example, a small neighborhood park at this location could serve both the residents at Fairfield as well as Flynn's Crossing. It would also be appropriate to provide similar landscaping along this property's frontages with Shellhorn Road and Waxpool Road in order to provide a consistent streetscape along these roadways.

e) Variety of Housing Types and Lot Sizes

The Revised General Plan states that high-density residential neighborhoods should provide a full range of housing opportunities, including a mix of duplex, single-family attached, and multi-family dwellings (Revised General Plan, Design Guidelines, pg. 11-9). High-density communities in particular should provide a greater range of housing types and sizes to meet the County's affordable housing objectives (Revised General Plan, Design Guidelines, p. 11-9). Although the inclusion of Affordable Dwelling Units (ADUs) will help to further County goals for affordable housing, the project appears to propose similar rental units, namely 1, 2 and 3 bedroom apartments in a garden-style complex, and do not represent the mixture of housing units envisioned by the Plan.



Parc Dulles in Sterling is an example of an apartment complex that offers three distinctive building types, providing a multitude of rental options to residents. These variations also enhance its sense of place.

Staff recommends that the community include a greater variety of housing types.

f) Pedestrian and Bicycle Circulation

Because the proposed project is a high-density residential neighborhood within the Transit Supportive Area (TSA), external as well as internal pedestrian and bicycle accommodations have a high priority. The Plan states that multiple and direct vehicular, bicycle, and pedestrian connections to the transit station and the Transit-Oriented Development (TOD) should be provided within the TSA (*Revised General Plan, Policy 18, p. 6-25*). The Plan calls for the traditional network of grid streets established within the TOD to be extended into the TSA so that focus of the development will be on transit and pedestrian (not automotive) circulation (*Revised General Plan, text, pg. 6-23*).

As noted above, the vehicular-oriented layout that is currently proposed will inhibit rather than encourage pedestrian movement. A more pedestrian-friendly layout that includes careful consideration to the design of the streetscape can foster greater pedestrian mobility within the development and to adjacent areas, create a vibrant public realm, and contribute to the overall aesthetic quality of the neighborhood. By encouraging and supporting alternative modes of transportation, it can also reduce automobile traffic outside of the development. The pedestrian and bicycle circulation network for the proposed development should accommodate someone who wishes to bike or walk between any two points in the development and provide ample connections to a larger regional network, particularly to the future transit station to the south. Pedestrian connections overall would be improved if the project were redesigned to be more reflective of its location within the TSA, as recommended above, for example with short blocks arranged in a rectilinear grid-street pattern in order to make destinations clear and routes easy to navigate for pedestrians.

The proposed Pedestrian and Vehicle Circulation Plan (Sheet 5) indicates that 10-foot wide asphalt trails will be provided along the property's Waxpool Road (Route 625), Shellhorn Road (Route 643) and Ashburn Village Boulevard (Route 772) frontages, consistent with Plan policies stating that major roadways should be equipped with off-

road shared use paths on both sides of the roadway that are at least 10-feet wide and paved (*Bike/Ped Plan, Table 4-1, p. 29 and text, p. 42*). Internally, 5-foot sidewalks are proposed on both sides of most roads, except for those at the periphery of the site where there is no need for any facility, also in keeping with Plan policies (*Bike/Ped Plan, Policy 2a, p. 31*). However, the following commitments are recommended, in addition to the major site layout changes described above, to ensure that the internal sidewalk network will be designed to enrich the pedestrian experience.

- **Connections to Open Spaces**

It is not clear whether any sidewalk or trail connections will be provided to and through the internal open spaces. Although these facilities are shown on the Illustrative Plan (Sheet 4), they are absent on the Pedestrian and Vehicle Circulation Plan (Sheet 5), which will be committed to. The Applicant should commit to providing these pathways as well as other street design details. The Plan states that the County should ensure that all public spaces in residential areas are pedestrian-friendly, with attention should be given to street design details such as landscaping, lighting, and the provision of attractive street furniture (*Revised General Plan, Policy 3, p. 6-7*).

Staff recommends that the application commit to providing pedestrian connections to the internal open spaces as well as other street design details encouraging and fostering pedestrian travel, such as street furniture, lighting, etc.

- **Gates**

The proposed community will be surrounded by a fence, which could inhibit pedestrian and bicycle connections to the future transit stop and the mixed-use community being developed around it that will provide a multitude of services and amenities (e.g., employment, retail, civic, and recreational uses) to its residents.

Staff recommends that pedestrian gates be provided at appropriate locations along the southern fence, adjacent to Ashburn Village Boulevard. It may be appropriate to allow open public access through the property during hours facilities are open and closures after dark or when supervisory personnel are not available onsite.

- **Crosswalks**

Large surface parking areas separate the different buildings and uses on the property, disconnecting the overall pedestrian network. Residents in the community will have to cross large asphalt areas in order to reach the open spaces and other amenities being provided, as well as the external trail network. A system of well-designed crosswalks at key locations would enhance pedestrian movement, contribute to the safety of the community, and provide traffic calming benefits. The previously approved application (ZMAP 2003-0013, Ryan's Corner)

committed to installing a crosswalk with a pedestrian island at the Ashburn Village Boulevard (Route 772)/Shellhorn Road (Route 643) intersection to enhance pedestrian connections to the future transit station. It would be appropriate for this project to provide a similar commitment.

Staff recommends that the application commit to enhanced pedestrian crosswalks that include raised crosswalks and/or changes in textures, patterns and colors to distinguish between pedestrian and vehicular movement.

Staff also recommends that the project commit to installing a crosswalk with a pedestrian island in the median of Route 772 (Ashburn Village Boulevard) at its intersection with Shellhorn Road subject to VDOT design approval.

- **Bicycle Parking**

Given the property's location within the TSA, accommodations for bicycles should be provided.

Staff requests information regarding bicycle parking. It may be appropriate to commit to a sufficient number of bicycle racks that are scattered throughout the development.

- **Clarifications**

Overall, the Pedestrian and Vehicle Circulation Plan (Sheet 5) does not appear to match the sidewalks and trails shown on the Illustrative Plan (Sheet 4). In addition, portions of the proposed asphalt trails appear to be off-site, for example, on property owned by both the Flynn's Crossing Homeowners Associations and Ryans Park (E&A) LLC. Staff is not clear if it is the Applicant's intent to provide these important off-site linkages.

Staff requests clarification of these issues.

5. AFFORDABLE HOUSING

It is the Plan's intent that high-density residential communities will provide a greater range of housing types and sizes to meet the County's affordable housing objectives (*Revised General Plan, Design Guidelines, pg. 11-9*). In addition to providing the required Affordable Dwelling Units (ADUs), the project should also address the County's unmet housing needs. Locating affordable housing near transit corridors is critical to providing affordable lifestyles for low and moderate-income families who may be particularly transit-dependent.

Land development applications proposing development of 50 or more dwelling units with a density greater than one dwelling unit per acre, located in an approved sewer service area, will be required to provide a percentage of the total number of dwellings as affordable units

and given an appropriate density increase (Revised General Plan, as amended by CPAM 2007-0001, Countywide Housing Policies, Legislative Policies Policy 1, p. 2-12). This policy has been implemented through Article 7-103(B) of the Revised 1993 Loudoun County Zoning Ordinance, which requires that 6.25% of most multifamily housing units be provided as Affordable Dwelling Units (ADUs). In compliance with the Zoning Ordinance, 38 of the total 596 rental units proposed with this project will be ADUs. No information has been provided regarding what types of ADUs will be provided (e.g., 1, 2 or 3-bedroom units). It would be appropriate if a mix of units sizes is provided, in compliance with Plan policies stating that the County encourages a variety of housing types, sizes and innovative designs to be developed to assist in fulfilling unmet housing needs throughout the County (Revised General Plan, as amended by CPAM 2007-0001, Countywide Housing Policies, Guiding Principles Policy 7, pg. 2-9).

On September 18, 2007, the Board of Supervisors adopted revised housing policies with particular attention to unmet housing needs of households earning up to 100% of the Washington Metropolitan Area Median Income (AMI, \$99,000 effective February 13, 2008), that being the area of greatest need in the County (Revised General Plan, as amended by CPAM 2007-0001, Countywide Housing Policies, Guiding Principles Policy 2, p. 2-12). Policies also recognize that the largest segment of unmet need is housing for incomes below 30% AMI (Revised General Plan, as amended by CPAM 2007-0001, Countywide Housing Policies, Guiding Principles Policy 14, p. 2-12). To help meet these needs, developers of residential and mixed-use projects should include funding commitments and proffers to fulfill unmet housing needs in their development proposals (Revised General Plan, as amended by CPAM 2007-0001, Countywide Housing Policies, Funding Policy 1, p. 2-12).

Staff encourages the Applicant to provide a mix of Affordable Dwelling Units (ADUs) that are dispersed throughout the community. It would be appropriate if the size of the ADUs (i.e., 1, 2, or 3-bedroom units) being provided are proportionate to the proposed market rate units.

Staff further recommends that in addition to ADUs, the applicant provide a commitment that addresses the full spectrum of unmet housing needs up to 100 percent of the AMI.

6. CAPITAL FACILITIES

Under the Revised General Plan, all residential rezoning requests will be evaluated in accordance with the Capital Facility policies of the Plan (Revised General Plan, Policy 3, p. 3-5). The Plan calls for capital facilities contributions valued at 100 percent of capital facility costs per dwelling unit at densities above the specified base density (Revised General Plan, Proffer Guidelines, Proffer Guidelines, p. 11-1). The base density is defined as 1.0 dwelling unit per acre or a base density equivalent to the density requirements contained in the existing zoning district regulations applicable to the property and in effect at the time of application, whichever is lower (Revised General Plan, Proffer Guidelines, p. 11-2).

A-57

Capital facility impacts have been calculated for the proposed development including the costs associated with the provision of safety, government, recreation, and education services, etc. The total projected capital facilities impact of the proposed development is \$11,266,784 (excluding proposed ADUs) (see Attachment 1). The County assumes responsibility for the capital facilities impacts up to the base density, which in this case is 1 du/acre for the portion of the property zoned R-16 and 1 du/2 acres for that zoned R-2. The anticipated capital facilities contribution is \$9,541,824.

Staff recommends that the impacts on capital facilities of the proposed residential development be mitigated.

7. OPEN SPACE PRESERVATION PROGRAM

To achieve higher density housing, "the Board of Supervisors anticipates evidence of participation in the Open Space Preservation Program". The County anticipates that cash donations for open space will be spent in the Suburban Community in which the increased density is granted" (*Revised General Plan, Policy 3, p. 11-3*). Contributions should be provided to enable the County to purchase Suburban Policy Area open space to offset the density proposed by the development. In the past, the Board has historically accepted \$3,800 - \$5,000 per easement.

If easements are priced at \$3,800 to \$5,000 per easement, the open space contribution for 23.48 easements for the proposed application would range from \$89,209 to \$117,380 (Attachment 2). However, this amount does not seem reasonable given current market values and with the goal of purchase of open space in the Ashburn Community.

Staff recommends the Applicant contribute land or provide an open space easement contribution equivalent to the cost of purchasing open space in the Ashburn Community.

8. MODIFICATIONS

The Applicant has also requested two modifications to Section 7-1000 of the Revised 1993 Loudoun County Zoning Ordinance in order to permit yard reductions. Specifically, the proposed modifications would (1) allow buildings to have a minimum front yard of 18 feet (rather than 25 feet) adjacent to either a property line or a private access easement and (2) allow buildings to have a minimum side yard of 10 feet adjacent to property lines and 18 feet adjacent to a private access easement (rather than 10 feet or, if a corner lot, 25 feet). The Zoning Ordinance (Section 6-1504, Modifications) states that "*No modification shall be approved unless the Board of Supervisors finds that such modification to the regulations will achieve an innovative design, improve upon the existing regulations, or otherwise exceed the public purpose of the existing regulation.*" According to the Statement of Justification, "the Applicant is seeking to achieve an innovative design resulting in a unified and compact residential development allowing reduced distances between buildings and property lines".

The Plan recognizes that buffers between similar uses may not be needed (Revised General Plan, Design Guidelines, p. 11-5). Although the proposed buildings are compatible with one another, there do not appear to be any unique site constraints that warrant a reduction in yard and buffering requirements. Furthermore, the proposed modification request does not achieve an innovative design nor does it exceed the public purpose of the existing regulation. As described above, the project does not fully implement the Plan's vision for a high-density residential community within the Transit Supportive Area (TSA) in several key ways. For these reasons, it does not appear as though the proposed modifications meet the criteria described in the Zoning Ordinance.

If these modifications are considered further, additional open space should be provided elsewhere on the site to compensate for the proposed buffer reduction, in compliance with Plan policies which state that "no buffer standard reductions will be permitted without substitution for other open space on an acre-by-acre basis" (Revised General Plan, Policy 10, p. 6-11).

Staff cannot support the proposed modifications at this time. If these modifications are considered further, then staff recommends that the Applicant provide information quantifying how much acreage for open space would be lost should the proposed buffer reductions be approved. This same amount should then be provided elsewhere on the property. As noted above in Section 2.b (Public Parks and Open Space), the project is deficient overall in the amount of open space being provided.

RECOMMENDATIONS

Although the proposed development of multifamily garden-style apartments at 26.9 du/acre is generally consistent with the site's high-density residential planned land use designation, staff has raised several concerns about the project that should be addressed. Specifically, the proposal's request to maximize the permitted density range of 8 to 24 du/acre may not be justified given that it is surrounded by existing, less dense residential communities and a true transit-supportive design is not proposed. To fully comply with Plan policies, the application should be revised to provide the following:

- commitments regarding the proposed clubhouse, such as a meeting space for residents;
- an additional community gathering space (such as a covered picnic area or large gazebo);
- additional open space that is internal and central to the development and includes a mix of passive/natural areas and active recreational uses;
- integration of on-site environmental features, including existing forested areas and trees if appropriate;
- wetland mitigation commitments;
- commitments to low impact development (LID) and other enhanced stormwater management facility features;

- reduced glare lighting commitments;
- noise analysis for the highway and major collector roads;
- inclusion of energy efficient design;
- an alternative site layout that better reflects the property's location within the Transit Supportive Area (TSA) and provides multiple and direct vehicular, bicycle and pedestrian connections to the transit station;
- more substantial commitments to the overall site and architectural design;
- provision of a variety of housing types and enhanced landscaping around the site's perimeter;
- enhanced pedestrian and bicycle accommodations; and
- a variety of Affordable Dwelling Units (ADUs) as well as a commitment to address the full spectrum of unmet housing needs up to 100% AMI.

Staff also recommends that the application mitigate the impacts of the proposed development on capital facilities and open space and has requested several clarifications to the application. As always, staff would be happy to meet with the applicant to discuss these issues.

Attachments

Attachment 1: Capital Facilities Impact Analysis

Attachment 2: Open Space Preservation Program Analysis

cc: Julie Pastor, AICP, Planning Director
Cindy Keegan, AICP, Community Planning Division Manager – via e-mail

A.60

Attachment 1- Capital Facilities Impact Analysis
ZMAP 2008-0007, Fairfield at Ryan's Corner

TOTAL PROJECTED CAPITAL FACILITIES IMPACT

The total capital facilities impact of the proposed development is calculated using the approved capital intensity factors for the proposed unit mix, as follows:

<i>Housing Type</i>	<i>Total Number of Units</i>	<i>Capital Intensity Factors</i>	<i>Projected Capital Facilities Impact</i>
Single-Family Detached (SFD)	0	\$46,819	\$0
Single-Family Attached (SFA)	0	\$29,709	\$0
Multi-Family (MF)	596	\$18,904	\$11,266,784
TOTAL	596		\$11,266,784

596 Total Units \$11,266,784 Total Projected Capital Facilities Impact

ANTICIPATED CAPITAL FACILITIES CONTRIBUTION

The anticipated capital facilities contribution of the proposed development takes into account affordable dwelling units (ADUs) and the number of units permitted by the base density. According to a resolution passed by the Board of Supervisors on February 15, 2005, the base density and base unit type of a type of property should be calculated using the current zoning of the property. Revised Capital Intensity Factors (CIFs) were adopted by the Board of Supervisors on July 25, 2006.

1. Number of Market Rate Units Subject to Capital Facilities Proffer Guidelines

<i>Housing Type</i>	<i>Total Number of Units</i>	<i>Number of Proposed ADUs</i>	<i>Number of Market Rate Units</i>
Single-Family Detached (SFD)	0	0	0
Single-Family Attached (SFA)	0	0	0
Multi-Family (MF)	596	38	558
TOTAL	596	38	558

2. Capital Facilities Calculations for Market Rate Units

<i>Housing Type</i>	<i>Total Number of Market Rate Units</i>	<i>Capital Intensity Factors</i>	<i>Capital Facilities Calculations for Market Rate Units</i>
Single-Family Detached (SFD)	0	\$46,819	\$0
Single-Family Attached (SFA)	0	\$29,709	\$0
Multi-Family (MF)	558	\$18,904	\$10,548,432
TOTAL	558		\$10,548,432

3. Capital Facility Credit for Base Density Units assuming Single Family Detached Dwellings

<i>Zoning District</i>	<i>Acres</i>	<i>Density Permitted By-right (du/acre)</i>	<i>Base Density Units</i>	<i>Capital Intensity Factor</i>	<i>Capital Facility Credit for Base Density Units</i>
R-16	21.12	1	21	\$46,819	\$983,199
R-2	1.00	0.5	1	\$46,819	\$23,410
0	0.00	0	0	\$46,819	\$0
TOTAL			21.5		\$1,006,609

4. Anticipated Capital Facilities Contribution

\$10,548,432 - \$1,006,609 = \$9,541,824

\$9,541,824 Anticipated Capital Facilities Contribution

Attachment 2 - Open Space Preservation Program Analysis
ZMAP 2008-0007, Fairfield at Ryan's Corner

Based on the Open Space Proffer Guidelines of the Revised General Plan, the Board of Supervisors anticipates evidence of participation in the Open Space Preservation Program to achieve higher densities in mixed-use communities proposed for development in the Suburban Policy Area. The Plan states that "5% of all residential units associated with densities above 4.0 dwelling units/acre should result from the acquisition of an equivalent number of open space easements." The Plan provides guidelines for the location and types of open space desired to be provided or purchased with cash in lieu on a per unit basis (Revised General Plan, Open Space Guidelines, p. 11-3). For high density residential neighborhoods, 0.05 easements is anticipated for every dwelling unit over a density of 4.0 du/acre.

1. Number of Units Permitted at 4.0 du/acre
$$22.12 \text{ acres} \times 4 = 88.48$$

2. Number of Units Subject to Open Space Proffer Guidelines
$$596 - 88.48 = 507.5$$

3. Exempt Affordable Dwelling Units
$$507.52 - 38 = 469.5$$

4. 5% of Units over 4.0 du/acre
$$469.52 \times 0.05 = 23.48$$

5. Total Units Linked to Open Space Preservation = **23.476**

6. Accepted Contribution Range: \$3,800 to \$5,000 per Easement

\$89,209 to \$117,380